

INTRODUCTION

The Sunnah of Rasul-Allah has been accepted as an important source of Islamic *Shari'ah*, next in importance only to the Qur'an. The authority and status of the Sunnah has remained undisputed and unchallenged throughout the centuries. There have been many differences among the Muslim scholars and jurists in the juristic opinions and views, but the authenticity and the authority of the Sunnah was never challenged or denied by any reputed jurist. All those individuals who challenged its authority separated themselves from main stream of the Muslims (*sawad-i-a'zam*).

The position of the Sunnah is still the same, but some Orientalists and some of their followers¹ had tried, during the last century to cast some doubts about the status of Sunnah and particularly about its collection and compilation. Some sects e.g. *Ahl al-Qur'an* and *Munkirun-al-Hadith* were results of these doubts.

The present thesis intends to present the status of Sunnah in Islam, a historio-conceptual analysis of Hadith collection, compilation and classification illustrating it from the case study of Imam Ibn Taimiyyah.

The Divine revelation was not limited to the Qur'an; Rasul-Allah ﷺ received two different kinds of revelation from Allah.

- a) The revelation of the Qur'an, the Holy Book, named in the Islamic terminology as obvious revelation and recited revelation (*al-wahy al-jalli*, *al-wahy al-matlu*). This kind of revelation is confined to the verses of the Qur'an and is written and preserved in its folds. The entire text of the Qur'an has come down to us through continuous testimony (*tawatur*).
- b) The revelation received by Rasul-Allah ﷺ from time to time to let him know the commandments and the will of Allah in day-to-day affairs and the details of the principles laid down in the Qur'an with their correct interpretation. This kind of revelation is called hidden revelation and unrecited revelation (*al-wahy al-khafi*, *al-wahy ghair al-matlu*). It has been demonstrated through the sayings and acts of Rasul-Allah. The life of Rasul-Allah, which was essentially to be obeyed in its precepts by the people, was not left without Divine guidance. The fact that the things other than the Qur'an were revealed to Rasul-Allah is witnessed by the Qur'an itself. Here are few examples. a) The Qur'an was revealed piecemeal and the arrangement and order of the chapters (*suwar*) and verses

ayat) was directed by Allah (*tawqifi*). But these directions have not been mentioned in the Qur'an.

b) In *surah al Anfal* it has been stated about the battle of *Badr*, that Allah had promised that the Muslims would be made victorious over one out of the two groups.

The Qur'an says:

وَإِذْ يَعِدُّكُمْ اللَّهُ إِحْدَى الطَّائِفَتَيْنِ أَنَّهَا لَكُمْ وَتَوَدُّونَ أَنَّ غَيْرَ
ذَاتِ الشَّوْكَةِ تَكُونُ لَكُمْ وَيُرِيدُ اللَّهُ أَنْ يُحِقَّ الْحَقَّ بِكَلِمَاتِهِ وَيَقْطَعَ
ذَابِرَ الْكَافِرِينَ ﴿٧﴾

Behold! Allah promised you one of the two [enemy] parties, that it should be yours: you wished that the one unarmed should be yours, but Allah willed to justify the Truth according to His words, and to cut off the roots of the unbelievers. (al Anfal 8:7)

One group was the *caravan* led by Abu Sufyan and the other was the army of the Makkah. But the promise of Allah which has been referred to in this verse is not contained in the Quranic verses.

The Qur'an says:

وَمَا جَعَلْنَا الْقِبْلَةَ الَّتِي كُنْتَ عَلَيْهَا إِلَّا لِنَعْلَمَ مَنْ يَتَّبِعِ الرَّسُولَ
مِمَّنْ يَنْقَلِبُ عَلَى عَقْبَيْهِ ﴿١٤٣﴾

“...And we appointed the *qibla* which you formerly observed only that We might know him who followed al-Rasul from those who would turn on their heels [from the Faith].” (al Baqarah 2:143)

Here the appointment of the previous *qibla* has been attributed to Allah which is a clear indication of the fact that the appointment of previous *qibla* (Bayat al-Muqadas) was done by the order of Allah Him-self. But this order is nowhere in the Qur'an Thus it, evidently proves that the previous order given by Allah was based on un-recited revelation (*wahy al-khafi*). The verses of the Qur'an quoted above prove the following facts:

a) Rasul-Allah ﷺ also used to receive some revelations (not in the form of Quranic verses) which are not contained in the Holy Qur'an.

- b) These revelations were from Allah, so much so that the orders based on such revelations were attributed to Allah.
- c) The orders based on such revelations were as binding on the believers as the orders of the first kind of revelation i.e. the verses of the Qur'an.
- d) These orders were sometimes given so as to test whether or not the believers follow Rasul-Allah ﷺ irrespective of the question whether his orders are contained in the Holy Qur'an or not.

Imam Shafi'i said:

“The whole Sunnah of Rasul-Allah was revealed on him; the word *hikmah* used in the Qur'an means the Sunnah, therefore, the Sunnah of Rasul-Allah was revealed by Allah.”²

The famous Islamic scholar Jalal al-Din Sayuti narrates from Abu Muhammad Juwaini in his book:

Allah's revelation is of two kinds. First in which Allah orders Jibril to take His message to al-Rasul that Allah says to do such and such thing in such and such manner. Jibril listens to the message, understands it, comes to al-Rasul and conveys the message. The direction is from Allah but in the language of Jibril. For the sake of illustration it is like a king who sends a message to his officer to do some thing. The officer is given the message by the envoy in his own words and not in the words of the king. The second is in which; Jibril comes and reads word for word what Allah had said. The first kind of revelation is the Sunnah and the second is the Qur'an.³

It is a belief of every Muslim that, Rasul-Allah ﷺ not only spoke but acted under the Divine influence.

The word Sunnah, according to Arabic lexicographers means: a way, course, rule, mode or manner of acting or conduct of life. In the Qur'an, the word Sunnah and its plural *Sanan* have been used sixteen times. In all these cases it is used in the sense of established course of rule, mode of life and line of conduct.

According to the '*ulama* of Sunnah, Sunnah refers to all that is narrated from Rasul-Allah ﷺ, his acts, his sayings and whatever he has tacitly approved plus all the reports which describe his physical features and character.

The ‘*ulama* of jurisprudence, however, exclude the description of the physical features of Rasul-Allah ﷺ from the definition of the Sunnah. As we quoted above, Imam Shafi‘i’s interpretation, which also represents the view of the majority. The word *hikmah* in this context means the Sunnah of Rasul-Allah ﷺ. Rasul-Allah ﷺ himself used the term Sunnah, in a famous Hadith, Rasul-Allah ﷺ said:

تركت فيكم امرين لن تضلوا ما تمسكتم بهما كتاب الله وسنتي

“I left two things among you; you shall not go astray as long as you hold on to them: the Book of Allah and my Sunnah.”⁴

The Sunnah is divided into three types, viz. verbal (*qawli*), practical (*fi‘li*) and tacitly approved (*taqriri*).

The verbal Sunnah consist of the sayings of Rasul-Allah ﷺ on any subject, such as the *Hadith fi al-saimah zakah* ‘the livestock is liable to *zakah*’⁵. The practical Sunnah of Rasul-Allah ﷺ consist of his deeds and actual instructions such as the way he performed the *salah*, *sawm* and *hajj* etc. Similarly, the fact that Rasul-Allah ﷺ authorized amputation of the hand of the thief from the wrist to illustrate the implementation of Quranic *ayah*:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ

وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٣٨﴾

“As to the thief, male or female, cut off his or her hands: a punishment by way of example, from Allah, for their crime: and Allah is Exalted in Power. Full of Wisdom.”
(al Ma’idah 5:38)

The tacitly approved Sunnah consists of the acts and sayings of the Companions which came to the knowledge of Rasul-Allah ﷺ and he approved it. The tacit approval of Rasul-Allah ﷺ may be also inferred from his silence and the absence of disapproval, or from his expressions which indicate approval and verbal confirmation. An example of such Sunnah is the report that two of the Companions went on a journey, when they failed to find water for ablution, they both performed the obligatory *salah* with *tayamum* (that is wiping the hands and face with clean soil) later when they found water, one of them performed the ablution and repeated his *Salah* whereas the other did not; upon their return, they

related their experience to Rasul-Allah ﷺ, who is reported to have approved both courses of action. Hence it became *Sunnah al-taqiriri*.

The ‘*ulama* are unanimous that Sunnah is a source of *Shari’ah* and in its rulings with regard to lawful (*halal*) and unlawful (*haram*) it stands on the same footing as the Qur’an. The Sunnah of Rasul-Allah ﷺ is an authority (*hujjah*) for the Qur’an testifies to its authority and enjoins the Muslim to comply with it. The words of Rasul-Allah ﷺ should be implemented, as the Qur’an tells us, are divinely inspired

وَمَا يَنْطِقُ عَنِ الْهَوَىٰ ۖ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ ﴿٤٣﴾

“Nor does he say [aught] of [his own] Desire. It is no less than inspiration sent down to him :”

(al Najam 53:3-4)

His acts and teachings that are meant to establish a rule of *Shari’ah* constitute a binding authority. While commenting on the above-mentioned Quranic verse, al Ghazali writes that some of the Divine revelations which Rasul-Allah ﷺ received constitute the Qur’an whereas the remainder is Sunnah. The words of Rasul-Allah ﷺ are authority on anyone who heard Rasul-Allah ﷺ saying them.

On various occasions, the Qur’an enjoins obedience to Rasul-Allah ﷺ and makes it obligatory on the believers to submit to his judgement and authority without any question.

قُلْ أَطِيعُوا اللَّهَ وَالرَّسُولَ فَإِنْ تَوَلَّوْا فَإِنَّ اللَّهَ لَا يُحِبُّ الْكَافِرِينَ ﴿٣٢﴾

“Say: Obey Allah and al Rasul: but if they turn back, Allah loves not those who reject Faith.”

(al ‘Imran 3:32)

يَتَأْتِيهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى الْأَمْرِ مِنْكُمْ فَإِنْ تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ ذَٰلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

O you who believe! Obey Allah, and obey al Rasul, and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and al- Rasul, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.

(al Nisa 4:59)

وَاطِيعُوا اللَّهَ وَالرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿١٣٢﴾

“And obey Allah and al Rasul that you may obtain mercy.” (al‘Imran 3:132)

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَلَا تُبْطِلُوا اءَعْمَلَكُمْ ﴿٣٣﴾

“O you who believe! Obey Allah, and obey al Rasul and make not vain your deeds!” (Muhammad 47:33)

In these verses the obedience to Rasul-Allah ﷺ has been ordered as an obligatory command. There are other verses in which the results of the obedience to Rasul-Allah ﷺ have been described. Here again the obedience to Rasul Allah ﷺ has been identified with the obedience to Allah.

وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ

تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا ذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٣﴾

“Those who obey Allah and His Rasul will be admitted to Gardens with rivers flowing beneath; to abide therein [forever] and that will be the supreme achievement.” (al Nisa 4:13)

وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا ﴿٧١﴾

“He who obeys Allah and His Rasul have already attained the highest achievement.” (al Ahzab 33:71)

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ ط ﴿٨٠﴾

“He who obeys al Rasul obeys Allah;” (al Nisa 4:80)

وَمَنْ يَعِصِ اللَّهَ وَرَسُولَهُ قَلِيلٌ لَهُ نَارُ جَهَنَّمَ خَالِدًا فِيهَا أَبَدًا ﴿٢٣﴾

“For any that disobey Allah and His Rasul, for them is Hell: they shall dwell therein forever.” (al Jinn 72:23)

It is noteworthy that whenever the obedience to Allah is mentioned in the Qur’an; it is always followed by the obedience to al-Rasul which has never been missed even in a single verse. There is no verse in the entire Book where the obedience to Allah has been mentioned alone with no reference to the obedience to al-Rasul.

On the contrary, there are some verses where only the obedience to Rasul-Allah ﷺ has been mentioned, and there is no reference to the obedience to Allah.

وَأَقِيمُوا الصَّلَاةَ وَءَاتُوا الزَّكَاةَ وَأَطِيعُوا الرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿٥١﴾

“So establish regular *salah* and give regular *zakah*; and obey al Rasul; that you may receive mercy.”

(al Nur 24:56)

يَوْمَئِذٍ يَوَدُّ الَّذِينَ كَفَرُوا وَعَصَوُا الرَّسُولَ لَوْ تُسَوَّىٰ بِهِمُ الْأَرْضُ وَلَا

يَكْتُمُونَ اللَّهَ حَدِيثًا ﴿٤٢﴾

“On that day those who reject Faith and disobey al Rasul will wish that the earth were made one with them: but never will they hide a single fact from Allah!”

(al Nisa 4:42)

The reason for so much stress upon the obedience to Rasul-Allah ﷺ is that the obedience to Allah cannot be carried out except through the obedience to Rasul-Allah ﷺ. Therefore, when Rasul-Allah ﷺ approves or forbids something, he does not do it in his private capacity, rather, he does so as a Rasul of Allah. When Allah Himself has commanded to obey His Rasul the obedience to Rasul-Allah ﷺ is actually the obedience to Allah. This point has been clearly established by the Qur'an in the following words:

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَنْ تَوَلَّىٰ

فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظًا ﴿٨٠﴾

“He who obeys al Rasul obeys Allah; but if any turn away, We have not sent you to watch over their (evil deeds).”

(al Nisa 4:80)

Rasul-Allah ﷺ himself was not a mere postman who delivered the Book of Allah and then disappeared and had no concern with it whatsoever. *Anbiya'* are not sent merely to deliver the word of Allah; they are also required to explain the Divine Book, to interpret it, to expound it, to demonstrate the ways of its application and to present a practical example of its contents. Acting under Divine guidance Rasul-Allah ﷺ not only delivered the message, but also launched a movement. He changed man and society; founded a community, established a state; and spent every movement of his life in guiding, directing and leading his followers. His life, under Allah's guidance, consisting of whatever he did or said or approved, is the Sunnah.

About compilation of Sunnah two misconceptions have been spread. Sunnah has not been preserved in a trustworthy manner and Hadith books were compiled in the third century A.H so their reliability is doubtful. Secondly, the Sunnah was orally transmitted thus; the sense uttered by Rasul-Allah ﷺ could change during the oral transmission. It is the faith of every Muslim including those who doubt the reliability of Hadith that Rasul-Allah ﷺ has a Divine authority for all times to come and that his obedience is mandatory for all Muslims

of whatever era. The important thing to note here is that if obedience is mandatory but the Sunnah is not reliable how can we carry out this obedience? Does it not mean that Allah has enjoined on us to obey Rasul-Allah ﷺ, but did not preserve his Sunnah? It cannot be envisaged that Allah will bind all the people with some thing (*uswah hasanah*) which does not exist or cannot be ascertained. If Allah has made it obligatory to follow the Sunnah, He has certainly preserved it for people in a reliable form.

إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ ﴿١٥٩﴾

“We have, without doubt, sent down the Message;
and We will assuredly guard it (from corruption).”

(al Hijr 15:9)

In this verse, Allah has assured the preservation of the Qur'an. This implies that the Qur'an will remain un-interpolated and that it shall always be transferred from one generation to the other in its real and original form, undistorted by any foreign element. The question now is whether this Divine protection is restricted only to the words of the Qur'an or does it extend to its meaning as well. If the Divine explanation is necessary to understand the Qur'an correctly, then the preservation of the Qur'an cannot serve the purpose unless the Divine explanations are also preserved.

وَأَنزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿١٦٤﴾

“We have sent down unto you [also] the Message;
that you may explain clearly to men what is sent for
them, and that they may give thought.” (al Nahal 16:44)

The methods used by Rasul-Allah ﷺ to teach his Sunnah or Hadith may be put in to three categories:

1. Verbal Teaching.
2. Written Medium (dictation to scribes).
3. Practical Demonstration.

1. Verbal Teaching

Rasul-Allah ﷺ himself was the teacher of his Sunnah. To make memorizing and understanding easy he used to repeat important things thrice. After teaching the Companions he used to listen to what they had learned. Deputations arriving from outlying areas were given in charge of *Sahabah*, not only to be hosted or accommodated but also for education in the Qur'an and the Sunnah. Rasul-Allah ﷺ asked them questions to discover the extent of their learning.

2. Written Method

All the letters of Rasul-Allah ﷺ to kings, rulers, chieftains and Muslim governors can be included in the teaching of the Sunnah. We can estimate the number of letters which were probably sent by Rasul-Allah ﷺ and recording activities related to them if we remember that he had at least 45 scribes who took his dictation at one time or the other. In the same category, we may put what was dictated by Rasul-Allah ﷺ to different Companions; such as ‘Aliyy Ibn Abi Talib and some of the writings of ‘Abd Allah Ibn ‘Amr Ibn al ‘As, and Rasul-Allah’s ﷺ orders for delivering a copy of his lecture (*khutba*) to Abu Shah Yemeni.

3. Practical Demonstration

As far as practical demonstration is concerned, Rasul-Allah ﷺ taught the methods of *wadu*, *salah*, *swam* and *hajj* etc, in every walk of life, Rasul-Allah ﷺ gave practical lessons in excellence, with clear instructions to follow his practice. He said ‘offer *salah* as you see me offering’⁶ صَلُّوا كَمَا رَأَيْتُمُونِي أَصَلَّى. He further said, ‘learn from me the rituals of *hajj*’⁷ خُذُوا عَنِّي مَنَاسِكَكُمْ. In answer to many questions, he used to tell the questioner to stay with him and learn by observing his practice.

In the lifetime of Rasul-Allah ﷺ the methods of Ahadith preservation were memorization, discussion, practice and writing. It is the writing of Ahadith in the life of Rasul-Allah ﷺ whose reliability has been challenged by Orientalists and their followers.⁸

There is a Hadith which narrates that Rasul-Allah ﷺ had forbidden some of his Companions from writing anything other than the verses of the Qur’an.

٥٣٦٦ مَرْثَا هَذَا ابْنُ خَالِدٍ الْأَزْدِيُّ حَدَّثَنَا هَمَّامٌ عَنْ زَيْدِ بْنِ أَسْلَمَ عَنْ عَطَاءِ بْنِ يَسَارٍ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا تَكْتُبُوا عَنِّي وَمَنْ كَتَبَ عَنِّي غَيْرَ الْقُرْآنِ فَلْيَمْنَحْهُ وَحَدِّثُوا عَنِّي وَلَا تَخْرُجْ وَمَنْ كَذَبَ عَلَيَّ قَالَ هَمَّامٌ أَحْبَبْتُهُ قَالَ مُتَعَمِّدًا فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ ۖ

Abi Sayyid Khudri reported that Allah’s Rasul said: Do not take down anything from me, and he who took down anything from me except the Qur’an, he should efface that and narrate from me, for there is no harm in it and he who attributed any falsehood to me and Hammam said: I think he meant one who did so ‘deliberately’ he should in fact find his abode in the Hell Fire.⁹

However, this prohibition was neither permanent nor absolute because in the same Hadith Rasul-Allah ﷺ ordered them to narrate his Ahadith orally. What has been said about prohibition is:

انما نهى ان يكتب الحديث مع القران في صحيفة واحدة لئلا يختلط به ويستتبه على القارى.

“(Rasul-Allah) only prohibited writing of the Hadith along with the Qur’an in the same document; the mixing up of the two could cause confusion to the reader.”¹⁰

Dr. Hamid Allah, after mentioning all the Ahadith of prohibition, writes:

All these Ahadith mean that round about the year 7 A.H. Rasul-Allah made some important speeches. Some newly converted Muslims had come from Yemen. Some of them were literate. Some *suwar* of the Qur’an were given to them to read and memorizes. When they heard that speech of Rasul-Allah some of them wrote it on the same papers on which the Qur’an had been written. At this Rasul-Allah prohibited them to write anything from him other than the Qur’an and ordered to cancel what had been written.¹¹

Some important Ahadith about Hadith writing

٣١٦١ حدثنا مسدد وأبو بكر بن أبي شيبة قالوا حدثنا يحيى بن عنبدة اللبني الأختي عن الوليد بن عبيد الله بن أبي مغيث عن يوسف بن مالهك عن عبيد الله بن عمرو قال كنت أكتب كل شيء أسمعه من رسول الله صلى الله عليه وسلم أريد حفظه فنهض فزني وقالوا أتركه كل شيء تشفعه ورسول الله صلى الله عليه وسلم ينكلم في الغضب والرضا فأمتسكت عن الكتاب فذكرت ذلك لرسول الله صلى الله عليه وسلم فأومأ بأصبعه إلى فيه فقال اكتب فوالذي نفسي بيده ما يخرج منه إلا حق

‘Abd Allah Ibn ‘Amr reported that, I used to write whatever I heard from Rasul-Allah ﷺ and wanted to learn it by heart. Some people of the Quraish dissuaded me and said ‘Do you write every thing you hear from Rasul-Allah ﷺ? While he is a human being and sometimes he may be in anger as any other human being may be?

‘Abd Allah Ibn ‘Amr conveyed their opinion to Rasul-Allah ﷺ. In reply Rasul-Allah ﷺ pointed to his lips and said:

فَقَالَ أَكْتُبْ فَوَالَّذِي نَفْسِي بِيَدِهِ مَا يَخْرُجُ مِنْهُ إِلَّا حَقٌّ

(1) “I swear by the one in whose hand is my soul, nothing comes out from this [mouth] except truth. So, do write.”¹²

It was a clear and absolute order given by Rasul-Allah ﷺ to write each and every saying of him without any hesitation or doubt about its authoritative nature.

- (2) One of the Companions among the *ansar* complained to Rasul-Allah ﷺ that he hears from him some Ahadith, but sometimes forgets them, Rasul-Allah ﷺ said:

اسْتَعِزْ بِيَمِينِكَ وَأَوْمَأْ بِيَدِهِ لِلْخَطِّ

“Seek help from your right hand and pointed out to writing.”¹³

- (3) Rafa‘ Ibn Khadij says: I said to Rasul-Allah ﷺ we hear from you many things, should we write them down?’ He replied:

اكتبوا ولا حرج

“You may right, there is no harm.”¹⁴

- (4) Anas reports that Rasul-Allah ﷺ has said:

قِنْدُوا الْعِلْمَ بِالْكِتَابِ

“Preserve knowledge by writing.”¹⁵

- (5) ‘Abd Allah Ibn ‘Amr Ibn al ‘As reports that Rasul-Allah ﷺ said to him:

قِنْدُوا الْعِلْمَ

“Preserve knowledge” He asked: how should it be preserved? Rasul-Allah replied:

بِالْكِتَابِ

“By writing it.”¹⁶

Many books of Ahadith were compiled by the *Sahabah* of Rasul-Allah ﷺ. The remarkable ones are *Sahifah Sadiqah* by ‘Abd Allah Ibn ‘Amr Ibn ‘As, *Sahifah ‘Aliyy*, *Sahifah Abu Bakr*, *Sahifah Jabir*, *Sahifa Samurah Ibn Jundub* and *Sahifah Sahihah* by Abu Hurairah.

This is sufficient proof to remove the misconceptions that Ahadith were only transmitted orally and the writing of the Ahadith started one hundred years after the demise of Rasul-Allah.

Imam Ibn Taimiyyah acknowledges the Qur’an as the undisputed primary source of law with which none of the *a’imah* disagrees. The authentic Sunnah, according to him is inseparable from the Qur’an, because it reveals the intent of the Divine revelation. Both the Qur’an and the Sunnah in the Hanbali tradition are referred to as the texts (*nusus*), and as such they are held in a unique authoritative position, as the authority of the Sunnah is an extension of the authority of the Qur’an itself, by Divine witness (al Hashr 59:7). Imam Ibn Taimiyyah holds this injunction to validate the authentic Sunnah whether it directly interprets Quranic

prima facie expressions in which case either it becomes complementary to it, or it introduces a new ruling not therefore, indicated by the Qur'an, such as the determination of the amount of reparation penalty for theft, or the sentence of punishing an adulterer by stoning etc. Imam Ibn Taimiyyah is convinced that the Sunnah must be held in the highest regard in legislation because it is the key to understand the Qur'an, and because authentic Sunnah can never contravene the Qur'an. Imam Ibn Taimiyyah refutes the Kharjis, for example, for rejecting some portions of the valid Sunnah. He cites the Hadith.

اَيُّمَنْنِي مَنْ فِي السَّمَاءِ وَلَا تَوْمَنْنِي؟

“Will you not trust me when he who is in heaven trusts me?”¹⁷

The inseparableness of the Qur'an and the Sunnah in Ibn Taimiyyah's views is evident from his books and treatises. According to him Muhammad Rasul-Allah's mission was to deliver Allah's message to His people. Allah had commanded him clearly and that was his obligation. The message communicated through the Ahadith is no less important than the Qur'an itself. He makes it clear that there should be neither any doubt nor any controversy that the Qur'an is indeed the word of Allah, sent down directly in its every utterance upon Muhammad Rasul-Allah ﷺ as an expression of His Holy and Gracious will. It is complete and clear that Muhammad Rasul-Allah ﷺ was given all authority and wisdom necessary and sufficient for furnishing its clarifications. Imam Ibn Taimiyyah's method for interpreting the Qur'an, is the interpretation of the Qur'an by the Qur'an and then by the Ahadith. While expressing his views and declaring verdicts (*fatawa*) regarding legal, social, political and economic matters he quotes Quranic verses and Sunnah first and if felt necessary he cites views of Companions and other *a'imah* and jurists about the matter concerned.

NOTES

1. Dr. Tawfiq Sidiqi, Mu‘mar Qadhafi, Sayyid Ahmad Khan, Maulvi Charag ‘Aliyy, Maulvi Ahmad al Din, ‘Abd Allah Chakdalwi, Aslam Jirajpuri, Ghulam Ahmad Parvaiz, Dr. Ghulam Jilani Barq et al.
2. Imam Shafi‘i, *al Risalah*, Beirut Lebanon, Dar al Kitab al Arbi, 1997 p.28.
3. Jalal al Din Sayuti, *al Itqan*, New Delhi, Diamond Printers, 1999, p.44.
4. Agreed Upon.
5. AD, vol.11, p.406.
6. BU, 585.
7. MU, 2285.
8. For detailed study See, *Tadwin Hadith*, by Maulana Manazar Ahsan Gilani.
9. MU, 5326.
10. Ibn ‘Abd al Birr, *Jam‘ al Bayan ‘Ilm*, Beirut Lebanon, Dar al Ma‘rifah, 1400 A.H. vol.1, p.71.
11. Mas‘ud Ahmad, *Tafhim al Islam*, Kashmir, Jami‘at Ahl Hadith, n.d., p.29.
12. AD, 3161.
13. TM, 2590.
14. TM. vol.1, p.286.
15. Ibn ‘Abd al Birr, op.cit. vol.1, p.72.
16. Ibid, p.73.
17. Imam Ibn Taimiyyah, *Majmu‘at al Masa’il wa al Rasa’il*, henceforth abbreviated as MMR Cairo, Matba ‘al Manar, 1930, vol.v, p.20.

CHAPTER NO I

STATUS OF SUNNAH IN ISLAM

Etymological Meaning

So far as the etymological meaning of (سنة) is concerned, it has been derived from the word *sanna* (سَنَ). The word *sanna* (سَنَ) has been used in various meanings in Arabic language. Some of these are as follows:

- | | |
|---|-------------------------------------|
| 1. To sharpen the knife. | ١. سَنَ السَّكِّينَ |
| 2. It will increase your appetite for food. | ٢. هَذَا لِيَسْتَكَّ عَلَى الطَّامِ |
| 3. To clean and polish ones teeth. | ٣. سَنَ الْأَسْنَانَ |
| 4. To drive the camel swiftly. | ٤. سَنَ الْأَيْلَ |
| 5. To adopt a way. | ٥. سَنَ الطَّرِيقَةَ |
| 6. He introduced a way for them. | ٦. سَنَ عَلَيْهِمُ السُّنَّةَ |
| 7. To make earthen utensils. | ٧. سَنَ الطِّينَ |
| 8. To enact or pass a law. ¹ | ٨. سَنَ قَانُونًا |

Literal Meaning

Literally Sunnah means strength, firmness and inherited habits (سَنَ، سَنَّان، مَسْنُون، سُنَّة). All these words have one and the same derivative, (سَنَ) ‘tooth’ (سَنَّان) ‘spear head’ and (مَسْنُون) ‘dry mud’. The word (سُنَّة) is also applied to firm habits and continuous actions. According to this phrase ‘path’ and ‘biography’ is also included in this meaning. In its literal meaning the word (سُنَّة) is used for both good and evil practices.

مَنْ سَنَّ فِي الْإِسْلَامِ سُنَّةً حَسَنَةً فَعَمِلَ بِهَا بَعْدَهُ كَيْبَ لَهُ مِثْلُ أَجْرِ مَنْ عَمِلَ بِهَا وَلَا يَنْقُصُ مِنْ أَجُورِهِمْ شَيْءٌ
وَمَنْ سَنَّ فِي الْإِسْلَامِ سُنَّةً شَرًّا فَعَمِلَ بِهَا بَعْدَهُ كَيْبَ عَلَيْهِ مِثْلُ وَدَرٍ مَنْ عَمِلَ بِهَا وَلَا يَنْقُصُ مِنْ أَوْزَارِهِمْ شَيْءٌ

(Rasul-Allah said): He who introduced some good practice in Islam which was followed after him [by people] he would be assured a reward like one who followed it, without these rewards being diminished in any respect and he who introduced some evil practice in Islam which had been followed subsequently [by others], he would be required to bear the burden like that one

who followed this [evil practice] without their's being diminished in any respect.²

Technical Meaning

The word (سنة) means a trodden path, a precedent, a practice and a custom. In technical sense, it is the model behaviour of Rasul-Allah ﷺ. It represents his sayings, practices and tacit approvals.

First of all, we will discuss here, for how many meanings the word Sunnah has been used in the Qur'an, so that we will be acquainted with the different Quranic elucidations.

The word 'Sunnah' in Qur'an

The word (سنة) has been used at 16 places with three different pronouns in the Qur'an.

- | | | |
|------|---------------|---------------------------|
| I. | سنة الله | (The rule of Allah). |
| II. | سنة رسول الله | (The way of Rasul-Allah). |
| III. | سنة الاولين | (The way of Ancestors). |

I. (سنة الله) 'the rule of Allah' the meaning of (سنة الله) is that behaviour of Allah with His bondmen which is continuous and perpetual? The word 'Sunnah' in this meaning is used at 9 places in the Qur'an.

وَلَا تَجِدُ لِسُنَّتِنَا تَحْوِيلًا

1. "And you will never find any change in our procedure."
(al Isra 17:77)

This was our dispensation (i.e. swift destruction of a people after the forced departure of their Nabiyy) with those whom we sent before you of our Rusul and you will not find a change in this our dispensation. This rule of Allah will apply to all those nations who did not give due heed to their *Anbiya'* and forced them to leave their native places.

سُنَّةَ اللَّهِ فِي الَّذِينَ خَلَوْا مِنْ قَبْلُ وَكَانَ أَمْرُ
اللَّهِ قَدَرًا مَّقْدُورًا

2. "It was the practice [approved] of Allah amongst those of old that have passed away, and the command of Allah is a decree determined."
(al Ahzab 33:38)

سُنَّةَ اللَّهِ فِي الَّذِينَ خَلَوْا مِنْ قَبْلُ

3. “[Such was] the practice [approved] of Allah among those who lived aforetime.” (al Ahzab 33:62)

وَلَن تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا ﴿٦٢﴾

4. “No change will you find in the practice [approved] of Allah.” (al Ahzab 33:62)

فَهَلْ يَنْظُرُونَ إِلَّا سُنتَ الْأَوَّلِينَ فَلَن تَجِدَ لِسُنَّتِ اللَّهِ تَبْدِيلًا ﴿٦٣﴾

5. “But no change will you find in Allah's way [of dealing]: no turning off will you find in Allah's way [of dealing].” (al Fahir 35:43)

وَلَن تَجِدَ لِسُنَّتِ اللَّهِ تَحْوِيلًا ﴿٤٣﴾

6. “No turning off will you find in Allah's way [of dealing].” (al Fahir 35:43)

سُنَّتِ اللَّهِ الَّتِي قَدْ خَلَتْ فِي عِبَادِهِ وَخَسِرَ هُنَالِكَ الْكَافِرُونَ ﴿٤٤﴾

7. “Allah's way of dealing with His servants [from the most ancient times]. And even thus did the rejecters of Allah perish [utterly]!” (Ghafir 40:85)

Allah Almighty has related in these verses that it has been our procedure from the beginning that whenever we sent down the punishment on any nation or the people of any region, then their acceptance of faith is not considered. It is mentioned in the Qur'an that when Fir'aun witnessed the punishment by his naked eyes, then he expressed his faith in these words:

وَجَنُوزَنَا بِبَنِي إِسْرَءِيلَ الْبَحْرَ فَاتَّبَعَهُمْ فِرْعَوْنُ وَجُنُودُهُ بَغْيًا
وَعَدُوًّا حَتَّى إِذَا أَذْرَكَهُ الْغَرَقُ قَالَ ءَامَنْتُ أَنَّهُ لَا إِلَهَ إِلَّا الَّذِي ءَامَنْتُ
بِهِ بَنُوءَ إِسْرَءِيلَ وَأَنَا مِنَ الْمُسْلِمِينَ ﴿٩٠﴾

We took the Children of Isra'il across the sea: Fir'aun and his hosts followed them in insolence and spite. At length, when overwhelmed with the flood, he said: ‘I believe that there is no Allah except Him Whom the Children of Israel believe in I am of those who submit [to Allah in Islam].’ (Yunus 10:90)

But Allah Almighty replied:

ءَاَلَيْسَ وَقَدْ عَصَيْتَ قَبْلُ وَكُنْتَ مِنَ الْمُفْسِدِينَ ﴿٩١﴾
“[It was said to him:] Ah now! But a little while before, were you in rebellion! And you did mischief [and violence]!” (Yunus 10:91)

سُنَّةَ اللَّهِ الَّتِي قَدْ خَلَتْ مِنْ قَبْلُ ﴿٩٢﴾

8. “[Such has been] the practice [approved] of Allah already in the past.” (al Fatah 48:23)

وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا ﴿٢٣﴾

9. “No change will you find in the practice [approved] of Allah.” (al Fatah 48:23)

The meaning of (سنة الله) in above mentioned verses is the way and procedure of Allah.

II. (سنة رسول الله) ‘the way of Rasul-Allah’ the word ‘Sunnah’ has been used once for the Sunnah of *Rusul* in the Qur’an. Allah Almighty says:

سُنَّةَ مَنْ قَدْ أَرْسَلْنَا قَبْلَكَ مِنْ رُسُلِنَا وَلَا تَجِدَ لِسُنَّتِنَا تَحْوِيلًا ﴿٧٧﴾

10. “[This was Our] way with *Rusul* We sent before you: you will find no change in Our ways.”

(al Isra 17:77)

The word ‘Sunnah’ in this verse has been used for Sunnah of *Rusul* i.e. for their sayings, actions and etiquettes etc.

III. (سنة من قبله) ‘the way of ancestors’ (سنة الاولين) is the meaning of (سنة الذين خلوا من قبل) i.e. ‘the attitude and behaviour of those communities who were before us’. The word Sunnah in this meaning has been used at six places in which at one place categorically the word (سنة) has been used without any reference, and at one place it has been used in the similitude of obedient and at four places, it has been used in the (ways) of those who were sinners.

Allah Almighty says:

قَدْ خَلَتْ مِنْ قَبْلِكُمْ سُنَنٌ فَسِيرُوا فِي الْأَرْضِ فَانظُرُوا كَيْفَ كَانَ عَاقِبَةُ

الْمُكْذِبِينَ ﴿١٣٧﴾

11. “Many were the ways of life that have passed away before you: travel through the earth, and see what the end of those who rejected truth was.” (al ‘Imran 3:137)

Many similar ways and mishaps of life were faced by nations (believers and disbelievers) that have passed away before you, so travel through the earth and see what the end of those who disbelieved was.

يُرِيدُ اللَّهُ لِيُبَيِّنَ لَكُمْ وَيَهْدِيَكُمْ سُنَنَ الَّذِينَ مِنْ قَبْلِكُمْ وَيَتُوبَ عَلَيْكُمْ

وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٢١﴾

“Allah would explain to you and guide you by the examples of those who were before you, and would turn to you in mercy, Allah is All-Knowing, All-Wise.”

(al Nisa 4:36)

The meaning of Sunnah in this verse is the Sunnah and attitude of *Anbiya'* and pious ones, and Allah Almighty desires to show you the way of *Anbiya'* and pious people and their attitude so that you may seek the pleasure of Allah by adopting that way.

The word Sunnah for the attitude of disobedients in (سُنَنَ مَنْ قَبْلُنَا) has been used in following verses:

قُلْ لِلَّذِينَ كَفَرُوا إِنْ يَنْتَهُوا يُغْفَرْ لَهُمْ مَا قَدْ سَلَفَ وَإِنْ يَعُودُوا فَقَدْ مَضَتْ سُنَّتُ الْأَوَّلِينَ ﴿٧٨﴾

12. "Say to the unbelievers, if [now] they desist [from unbelief], their past would be forgiven; but if they persist, the punishment of those before them is already [a matter of warning for them]." (al Anfal 8:38)

يُرِيدُ اللَّهُ لِيُبَيِّنَ لَكُمْ وَيَهْدِيَكُمْ سُنَنَ الَّذِينَ مِنْ قَبْلِكُمْ وَيَتُوبَ عَلَيْكُمْ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٧٩﴾

13. "Allah would explain to you and to show you the ordinances of those before you; and [He does wish to] turn to you [in Mercy]; and Allah is All-Knowing, All-Wise." (al Nisa 4:26)

In the above verses, Allah Almighty has warned the infidels that if they refrain from their disobedience and transgressions and repent, their sins will be forgiven and if they did not refrain and remained engaged in disobedience then they should mind Allah's treatment of the infidels that whenever any nation crosses the limits in disobedience and transgression, Allah makes it suffer severe punishment and drastic torment wherein it always abides.

لَا يُؤْمِنُونَ بِهِ وَقَدْ خَلَتْ سُنَّةُ الْأَوَّلِينَ ﴿٨٠﴾

14. "That they should not believe in the [Message]; but the ways of the ancients have passed away." (al Hijr 15:13)

وَمَا مَنَعَ النَّاسَ أَنْ يُؤْمِنُوا إِذْ جَاءَهُمُ الْهُدَىٰ وَيَسْتَغْفِرُوا رَبَّهُمْ إِلَّا أَنْ تَأْتِيَهُمْ سُنَّةُ الْأَوَّلِينَ أَوْ يَأْتِيَهُمُ الْعَذَابُ قُبُلًا ﴿٨١﴾

15. And what is there to keep back men from believing, now that guidance has come to them, nor from praying for forgiveness from their Rabb, but that [they ask that] the ways of the ancients are repeated with them, or the wrath be brought to them face to face? (al Kahaf 18:55)

أَسْتَكْبَرُوا فِي الْأَرْضِ وَمَكُرَ السَّيِّئِ وَلَا يَحِيقُ الْمَكْرُ السَّيِّئُ إِلَّا بِأَهْلِهِ
فَهَلْ يَنْظُرُونَ إِلَّا سُنَّتَ الْأَوَّلِينَ فَلَنْ تَجِدَ لِسُنَّتِ اللَّهِ تَبْدِيلًا وَلَنْ تَجِدَ

لِسُنَّتِ اللَّهِ تَحْوِيلًا ﴿٤٣﴾

16. On account of their arrogance in the land and their plotting of evil. But the plotting of evil will hem in only the authors thereof. Now are they but looking for the way the ancients were dealt with? But no change will you find in Allah's way [of dealing]: no turning off will you find in Allah's way [of dealing]. (al-Fatir 35:43)

Allah Almighty has mentioned before this verse that Quraish, before the arrival of al-Rasul ﷺ were invoking the Rasul and were taking oaths saying that, if any Rasul will come to them, they will certainly follow and obey him and adopt the right path. But when We sent our al-Rasul, they opposed him and began to disobey him. Do they not know that how many nations We have destroyed due to their opposition to Rasul. We have always destroyed the opponents of Rasul.

The motive of quoting the above verses was to clarify the actual meaning of Sunnah as 'way' and 'attitude'. When the word 'Sunnah' is used in Islamic studies without any adjective or reference, then its meaning will be only as (سنت رسول), like, when word 'Book' is used without any reference, it's only meaning is considered as Book of Allah i.e. Qur'an. Similarly, the word 'Sunnah' is known as Sunnah of Rasul ﷺ that means, the meaning of Sunnah in Divine law (*Shari'ah*) is the Sunnah of Rasul ﷺ.

Azhari quotes: Sunnah means 'Choiceable' that is why it is said, He is among *Ahl al-Sunnah* (those who follow the Sunnah of Rasul in word and action) it means he is among those who are on the right and desired path.³

Khattabi says: The actual meaning of Sunnah is 'path'. When the word 'Sunnah' is used without condition and adjective, like:

وَمَنْ سَنَّ فِي الْإِسْلَامِ سُنَّةً سَيِّئَةً

“One who introduces any evil path in Islam”⁴

Raghib Asfahani says: Sunnah means 'the rule of Allah'⁵ as Allah Almighty says:

سُنَّةَ اللَّهِ الَّتِي قَدْ خَلَتْ مِنْ قَبْلُ وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا ﴿٢٣﴾

“[Such has been] the practice [approved] of Allah already in the past: no change will you find in the practice [approved] of Allah.” (al-Fatah 48:23)

أَسْتَكْبَارًا فِي الْأَرْضِ وَمَكْرَ السَّيِّئِ وَلَا يَحِيقُ الْمَكْرُ السَّيِّئُ إِلَّا بِأَهْلِهِ
 فَهَلْ يَنْظُرُونَ إِلَّا سُنَّتَ الْأَوَّلِينَ فَلَن تَجِدَ لِسُنَّتِ اللَّهِ تَبْدِيلًا وَلَن تَجِدَ
 لِسُنَّتِ اللَّهِ تَحْوِيلًا ﴿٤٣﴾

(Showing in their) behaving arrogantly in the land and plotting evil; and the evil plot enclosed but the men who make it. Then, can they expect aught save the treatment of the folk of old? You will not find for Allah's way of treatment any substitute, nor will you find for Allah's way of treatment any change.

(al Fatir 45:33)

Kasai elucidates Sunnah as: Sunnah means 'consistency'.⁶

Qurtabi quotes: Sunnah means 'umma' and he has justified this meaning from below couplet.

مَا عَايَنَ النَّاسُ مِنْ فَضْلٍ كَفَضْلِهِمْ وَلَا رَأَوْا مِثْلَهُمْ فِي سَلَفِ السَّنَنِ

"People neither see sublimity like sublimity thereof nor did see the similitude thereof in previous communities."⁷

Tabari says: Sunnah means 'a thing which is worthy to follow'.⁸

Ibn Duraid writes in his book *al Jamarah*:

وَالسُّنَّةُ مَعْرُوفَةٌ، وَهِيَ سُنَّةُ فُلَانٍ سُنَّةٌ حَسَنَةٌ أَوْ قَبِيحَةٌ يَسْتَنِيهَا سَنَاءً

"The meaning of Sunnah as manner and way is common. It is said such [person] introduced the good or bad Sunnah [way]. Its future tense is (يُسَنُّ) and infinitive is (سَنَأَ)."

Isma'il Ibn Hammad Jawhari writes under the term 'Sunnah':

وَالسُّنَّةُ السِّيَرَةُ قَالَ الْهَذَلِيُّ فَلَا تَجْزِعَنَّ عَنْ سِيَرِهِ أَنْتَ سِرْتَهَا فَأُولَ رَاضٍ سُنَّةٌ مِنْ يَسِيرِهَا

"The meaning of Sunnah is 'character' [attitude, style, and mode] Hudhali the poet says: don't worry about the way on which you walked, because whosoever introduced any style, he is the first desirer thereof."⁹

Abu al Husain Ahmad Ibn Faris Zakariyya says:

السُّنَّةُ وَهِيَ السِّيَرَةُ، وَسُنَّةُ رَسُولِ اللَّهِ سِيَرُهُ قَالَ الْهَذَلِيُّ فَلَا تَجْزِعَنَّ عَنْ

وَأَمَّا سَمِيَتْ ذَلِكَ لِأَنَّهَا تَجْرِي جَرِيًّا وَمِنْ ذَلِكَ قَوْلُهُمْ: امْضِ عَلَى سُنَّتِكَ

"Sunnah means *sirah* (biography, character) and Sunnah of Rasul-Allah means, his character (and way), Hudhali says: it is named Sunnah because of its continuity."¹⁰

Imam Fakhr al Din Razi elucidates Sunnah as:

The etymology of Sunnah is in three forms:

1. It is on the weight of (فعله) in the meaning (منعوله) it is derived from (سنّ) the meaning of (سنّ الماء يستنه) continuous flow of water.
2. It is derived from (سنّ النصل) Arabic phrase is that (سنّ النصل انسان استنه سنا فهو مسنون) ‘I sharpened the arrow head or spear head over whetstone and it got sharpened’.
3. It is derived from (سنّ الابل) which means taking care of a camel. The act, which Rasul-Allah ﷺ performed uninterruptedly, is known as Sunnah, in this meaning that he took due care of that deed and performed it with continuity.

‘Allamah Zamakhshari says:

The expounding of (سنت الاولين) ‘the ways of ancestors’ is sending down of torment upon those persons of previous communities who rejected their *Anbiya*’. ‘Allamah has justified this meaning by above mentioned 43rd verse of *surah al Fatir*.¹¹

It was not a strange thing to Arabs to know the meaning of Sunnah as ‘path’ and ‘way’. Even before the Rasul-Allah ﷺ, they were well aware about the meaning of Sunnah and its antonym *bid’ah*. When the word ‘Sunnah’ is referred to Allah as (سنت الله) they understood the same meaning of Sunnah from it, as it is said in the Qur’an.

سُنَّةَ اللَّهِ فِي الَّذِينَ خَلَوْا مِنْ قَبْلُ وَلَنْ تَجِدَ لِسُنَّةِ اللَّهِ تَبْدِيلًا ﴿١٢﴾

“[Such was] the practice [approved] of Allah among those who lived aforetime: no change will you find in the practice [approved] of Allah.” (al Ahzab 33:62)

When the Arabs heard from Rasul-Allah ﷺ (عليكم بستي) ‘you are bound to follow my Sunnah’,¹² they abruptly understand that it means manners and the etiquettes of Rasul-Allah ﷺ in an individual and social life. The people of Madinah were very desirous of Sunnah, that is why it is known as (دار السنه) ‘the home of Sunnah’. The meanings of Sunnah in various regions of Madinah got changed in apolitical contexts but not in the political and social Rasul-Allah said:

٦٧١٢ حدثنا موسى بن إسماعيل حدثنا عبد الواحد حدثنا عاصم قال قلت لأبي أنس رسول الله صلى الله عليه وسلم المدينة قال نعم ما بين كذا إلى كذا لا يقطع شجرها من أخذت فيها حدثا فعليه لعنة الله والملائكة والناس أجمعين قال عاصم فأخبرني موسى بن أنس أنه قال أو أوى مخدئا ❁

Anas reported that, Rasul-Allah ﷺ said: Madinah is a sanctuary from that place to that, its trees should not be cut off and no heresy should be innovated, nor any sin

should be committed in it, and that who innovates in it a heresy or commits sins, he will incur the curse of Allah, the angels, and all the people.¹³

The Hadith when it denotes any practice is commonly known as Sunnah and this application has been common in every school of thought. The literal meaning of Sunnah is ‘way of action’, and it also means explicit path. Rasul-Allah ﷺ has himself used the word Sunnah for his own way of action.

The word ‘Sunnah’ used by Rasul-Allah

أَصُومُ وَأُفْطِرُ وَأُصَلِّي وَأُزِفِدُ وَأَتَزَوَّجُ النِّسَاءَ فَمَنْ رَغِبَ عَنِّي فَلَيْسَ مِنِّي

“I keep *sawm* and break my *sawm*, I do sleep and, I also marry women. So whoever does not follow my Sunnah is not from me [not one of my followers].”¹⁴

In this Hadith, Rasul-Allah ﷺ expressed his manner by the word ‘Sunnah’ and also said that it is Sunnah for this reason, so that they (followers) will take it as credential.

Attribution of word ‘Sunnah’ to Companions

Rasul-Allah ﷺ was informed about one of the deeds of ‘Abd Allah Ibn Mas‘ud, Rasul-Allah ﷺ gave permission in these words:

ان ابن مسعود سن لكم سنه فاستنوا بها

“Indeed, Ibn Mas‘ud invented a Sunnah for you, so follow it.”¹⁵

Once Rasul-Allah ﷺ said about one of the actions of Mu‘adh Ibn Jabal.

ان معاذ اقد سن لكم سنه كذا لك فافعلوا

“Verily! Mu‘adh invented a Sunnah for you so practise it.”¹⁶

In these types of narrations, Rasul-Allah ﷺ clearly used the word Sunnah for the actions of his Companions, and Companions would also use the word Sunnah for the actions and verdicts of elder Companions.

The word ‘Sunnah’ used by Companions

The esteemed Companions considered every style, way, saying and action of Rasul-Allah ﷺ as Sunnah and worthy to follow.

‘Abd Allah Ibn Mas‘ud said:

ولو انكم صليتم في بيوتكم كما يصلي هذا المتخلف في بيته

لتركتم سنه نبيكم ولو تركتم سنه نبيكم لضللتم.

If you offer *salah* in your houses, as this man who stays away [from mosque] and offers *salah* in his house, you would abandon the Sunnah of your al-Nabiyy and if you abandon the Sunnah of your al-Nabiyy, you would go astray.¹⁷

The use of word ‘Sunnah’ for the actions of rightly guided *Khulfah*

Rasul-Allah ﷺ himself applied the word Sunnah for the actions of rightly guided *khulfa*:

فَمَنْ أَذْرَكَ ذَلِكَ مِنْكُمْ فَعَلَيْهِ بِسُنَّتِي وَسُنَّةِ الْخُلَفَاءِ الرَّاشِدِينَ الْمُهْدِيِّينَ

“Whoever among you finds [Sunnah] it is incumbent upon him to adhere strictly to my Sunnah and the Sunnah of the rightly guided *khulfa*’.”¹⁸

Common use of word ‘Sunnah’

During the first era, sacred teachings of Rasul-Allah ﷺ were quoted by scholars as the Ahadith and Sunnah. If it is based on the sayings of Rasul-Allah ﷺ, then it was often mentioned by the word ‘Hadith’ whereas, if it had been the action then it was quoted by the word ‘Sunnah’. At that time it was not only the actions and sayings of Rasul-Allah ﷺ for which words Hadith and Sunnah were used, but also the actions, sayings, teachings and narrations of Companions and of those who follow the Sunnah were included in the meaning of these words, and this inherited action of Islam was later on known as Sunnah. Whatever practice was performed during the period of Companions that was considered as Sunnah. It was not necessary that whatever deed, performed by Rasul-Allah ﷺ was thought to be Sunnah. Once ‘Abd Allah Ibn ‘Abbas recited *surah al-Fatihah* in the funeral *salah*, since it was against the usual custom, people were astonished over it, thereupon he said:

It is of Sunnah.¹⁹ انها من السنه

‘Allamah Kirmani says: Here Sunnah means opted way in Islam.

It is an established fact that the word Sunnah was not specified for the teachings of Rasul-Allah ﷺ only in the first era but was used in the broader meaning and it was inherited ways in Islam; we often find those words in *Muwatta Imam Malik*. ‘It is our Sunnah’ the behaviour of inhabitants of Madinah was counted as Sunnah not only Imam Malik, but elder *tab’in* also used word Sunnah for inherited actions. It was not necessary that it had to be Sunnah of Rasul-Allah ﷺ. Those decisions of Companions which are agreed upon have also been thought as inherited Sunnah in Islam.

Jurisprudential meaning of Sunnah

The term ‘Sunnah’ according to Hanfi school of thought: Kamal Ibn Hamam says:

السنة ما واطب على فعله مع ترك ما بلا عذر

Sunnah is that action which Rasul-Allah ﷺ performed with punctuality however left it without any excuse some time or the other. In this definition the word (ما) is for that kind which includes all deeds, and because of these words unlawful, disliked, permissible and supererogatory, evaded from the restriction and words (الراظيه على فعله) excluded obligatory and compulsory and words (مع ترك ما) excluded such actions which Rasul-Allah ﷺ sometimes gave up on the basis of excuse. Hence it is known, according to them, that abiding of any such deed which he never left or left because of excuse is the justification of (بلا عذر) compulsory. Kamal Ibn Hamam and Ibn Amir al Hajj has also defined the Sunnah as ‘religious way’ which is proved from Rasul-Allah ﷺ, pious *kulfah* or any of them, and whose practice is demanded but it should neither be obligatory nor compulsory.²⁰

According to the majority of Shafi‘i scholars (and according to juristic meaning and majority of religious scholars) Sunnah, *mandub*, *mustahab*, *tatw*, *marghub fihi* are all synonyms and according to them, the meaning of all is same. As Jalal al-Din Mahalli has said that its definition is as:

الفعل المطلوب طلب غير جازم

Which means that action whose performance is demanded but this demand should not be inevitable i.e. emphasis should not be exerted on its implementation, this is the best definition, the word *fi‘l* (deed) in it is material. From the word ‘demand’ *mubah* (permissible) comes out, because the demand of doing any deed is not found in it and from this word *haram* (unlawful) and *makruh* (disliked) also comes out, because abstinence is desired from these deeds not the acquiring. From un-inevitable demand, compulsory comes out from this definition.

Imam Baidawi has defined Sunnah as:

هو ما يحمد فاعله ولا يذم تاركه

“Which means Sunnah is that thing, whose doer is praised and one who does not practise it is not condemned.”²¹

Taqiyy al Din Subki says in *Sharah al Minhaj* that:

“Sunnah is a term used for every deed, being compulsory and desirable according to the sayings of Rasul-Allah ﷺ”²²

Imam Shafi‘i says that, Sunnah means the Sunnah of Rasul-Allah ﷺ, alone this confined application of word Sunnah is held to be correct now-a-days. But in the use of predecessors it meant the Sunnah of Rasul-Allah ﷺ and pious *khulfa*. Imam Shafi‘i exhibits justification over his saying that the saying of Companion is not proof and emulation of it is not necessary for *mujtahid* Sunnah basically means that deed which is performed by Rasul-Allah ﷺ, and which leads towards religious order, and it is the basic meanings of Sunnah which are considered in contrast to the Qur’an and other jurisprudential sources.

It is in *Kashaf Istilahat al funun* one of the meanings of Sunnah is *Shari‘ah*. This saying is derived from (الاولى بالامامه الا علم بالسنة). ‘A person who is well aware of Sunnah deserves the *imamah*’ the meaning of Sunnah in this saying is religious commandments, as is mentioned in *Jam‘ al Ramuz fi Masa’il al Jama‘ah*. Here it is a specific term of Hanfi school of thought. According to them, there are two kinds of Sunnah.

1. *Sunnah huda* (guiding Sunnah): It is compulsory Sunnah which is near to, *wajib* (compulsory). It pertains to that thing which accomplishes the religion. Moreover, it is of signs of creed like, congregational *salah*, *adhan*, *iqamah* and *sunan rawatib*.

The jurists ruling about such Sunnah is that, its doer thereof deserves the reward; continuous abjurer without the excuse shall remain deprived of recession and deserves the reproach and rebuke because of jesting with religion²³

Some people have said that abjurer thereof will be among sinners. It is narrated from Abu al Usr that abjuring thereof shall earn a minor sin.²⁴

2. *Sunnah zawa'id* (supplementary Sunnah): It is that kind of Sunnah which Rasul-Allah ﷺ performed continuously with firm punctuality till it became a habit of him, and left it occasionally. Like wearing clothes, sitting, standing, riding, strolling, eating, drinking, sleeping, awaking and habits and styles of Rasul-Allah ﷺ in bowing and prostrating is itself worship, because in their performance, sincerity of intention is a must. They are known as *Sunnah zawa'id*. Its doer shall get reward and its abjurer shall neither be punished nor be criticised.²⁵

The term ‘Sunnah’ according to Maliki school of thought

There are two views of Maliki school of thought pertaining to the meaning of Sunnah.

1. The views of *magharibah* (the people of west or Morocco).
2. The views of people of Baghdad.

According to *magharibah* the definition of Sunnah is a deed on whose performance reward will be given and no punishment will be given on its abjuring. It has three classes: The first class is known as Sunnah, the second *fadilah* (sublimity), some call it as *ragibah* (desired) and some people call it as *mustahab* and *mandub* (desired or liked), and the third one is known as *nafilah* (supererogatory) some people call it as *mustahab* (desired). There is a difference in reward according to this sequence.²⁶

Some people put forward the definition of Sunnah as, such a deed which Rasul-Allah ﷺ performed continuously and which is considered as persistent like lunar eclipse *salah*, and there should be such a deed, due to which it becomes manifested that it is not obligatory whether he performed that deed in front of people or performed it in isolation.

Views of Scholars of jurisprudence of Baghdad

According to Maliki scholars of Baghdad, the definition of Sunnah is (التعلل المطلوب طلب غير جازم) a deed whose performance is demanded but demand should be un-inevitable and emphasis should not be exerted on its performance, they too have divided it in to the above three kinds. First kind is known as Sunnah *mu'akadah* (compulsory Sunnah); second as *ragibah* (desired) and third one is known as *nafilah* (supererogatory).²⁷

The term 'Sunnah' according to Hanbali school of thought

Scholars of Hanbali jurisprudence use two terms for the meaning of Sunnah. a) Sunnah is that deed on whose performance reward will be given and no punishment will be given on its abjuring. Following are its synonym terms *mandub*, *tatwu*, *ta'at-w-nafl*, *qrbah*, *muraggab fihi*, *ihsan fadiliyat* and *afdal*.

b) It is also a kind of *mandub* (desired). In this term it has three classes: first, Sunnah, it is the superior class, the second class is *fadiliyat* (sublime) and third class is *nafilah* (supererogatory).²⁸

Common usage of word 'Sunnah' by Scholars of jurisprudence

'Allamah Shaukani says: 'application of Sunnah is opposed to *bid'ah*' as it is said that such [thing] is from Sunnah, in this way if any person, by practising upon the deed of Rasul-Allah ﷺ, does any work, whether it is mentioned in the Qur'an or not, it is said. He is practising Sunnah and when anybody opposes it, it is said that he performs *bid'ah*.²⁹

Meaning of Hadith, according to Imam Ibn Taimiyyah

In a reply to the question, what is the exact application of the word Hadith? Is word Hadith applicable to whatever Rasul-Allah said even before his *Nubbuwah* or what he said after *Nubbuwah*? Imam Ibn Taimiyyah says:

All praises to Allah, the application of Hadith is upon whatever is narrated from Rasul-Allah after the *Nubbuwah* i.e. His sayings, deeds and approvals because his Sunnah consists all three conditions. Hence whatever he said, even if it is news, attestation thereof is compulsory. Because, various verses of the Qur'an, besides the indication of *Nubbuwah* of *Anbiya'*, point out that whatever *Anbiya'* convey from Allah, they are infallible in that [conveyance]. So, their news is not but ultimate truth and it is the meaning of *Nubbuwah* it also includes that whatever Allah informs them of from unseen [hidden] and then *Anbiya'* pass on that [information of] unseen to the people. *Nabiyy* is deputed on the task that he had to invite people [towards Allah] and proclaim the message of Allah to them. So, every *Nabiyy* was not *Rasul* however every *Rasul* was *Nabiyy*. In short, the application of Hadith is on each saying and action which Rasul-Allah said or did after *Nubbuwah* and every deed upon which Rasul-Allah showed willingness [is at least permissible] is included under Sunnah, and it can be presented as evidence in some matter, especially when we have been ordered to obey any order like 'offer *salah* as you see me offering *salah* or you take *manasik* (ways of performing *hajj*) from me. Similarly, whatever Allah made lawful for him is lawful for the whole community till the evidence of exception is not established. This is why, Allah Almighty mentioned in the following verses.

وَإِذْ تَقُولُ لِلَّذِي أَنْعَمَ اللَّهُ عَلَيْهِ وَأَنْعَمْتَ عَلَيْهِ أَمْسِكْ عَلَيْكَ زَوْجَكَ وَاتَّقِ اللَّهَ وَتُخْفِي فِي نَفْسِكَ مَا اللَّهُ مُبْدِيهِ وَتَخْشَى النَّاسَ وَاللَّهُ أَحَقُّ أَنْ تَخْشَاهُ فَلَمَّا قَضَىٰ زَيْدٌ مِنْهَا وَطَرًا زَوَّجْنَاهَا لِكَيْ لَا يَكُونَ عَلَى الْمُؤْمِنِينَ حَرَجٌ فِي أَزْوَاجِ أَدْعِيَائِهِمْ إِذَا قَضَوْا مِنْهُنَّ وَطَرًا وَكَانَ أَمْرُ اللَّهِ مَفْعُولًا ﴿٢٧﴾

Behold! You did say to one who had received the grace of Allah and your favour: Retain you [in wedlock] your wife, and fear Allah. But you did hide in your heart that which Allah was about to make manifest: you did

fear the people, but it is more fitting that you should fear Allah. Then when Zaid had dissolved [his marriage] with her, with the necessary [formality], we joined her in marriage to you: in order that [in future] there may be no difficulty to the Believers in [the matter of] marriage with the wives of their adopted sons, when the latter have dissolved with the necessary [formality] [their marriage] with them. And Allah's command must be fulfilled. (al Ahzab 33:37)

يَتَأْتِيهَا النَّبِيُّ إِذَا أَحْلَلْنَا لَكَ أَزْوَاجَكَ الَّتِي ءَاتَيْتَ أَجُورَهُنَّ وَمَا مَلَكَتْ
يَمِينُكَ مِمَّا أَفَاءَ اللَّهُ عَلَيْكَ وَبَنَاتِ عَمِّكَ وَبَنَاتِ عَمَّتِكَ وَبَنَاتِ
خَالِكَ وَبَنَاتِ خَالَاتِكَ الَّتِي هَاجَرْنَ مَعَكَ وَأَمْرًا مُؤَمَّنَةً إِنْ وَهَبْتَ
نَفْسَهَا لِلنَّبِيِّ إِنْ أَرَادَ النَّبِيُّ أَنْ يَسْتَنْكِحَهَا خَالِصَةً لَكَ مِنْ دُونِ
الْمُؤْمِنِينَ قَدْ عَلِمْنَا مَا فَرَضْنَا عَلَيْهِمْ فِي أَزْوَاجِهِمْ وَمَا مَلَكَتْ
أَيْمَانُهُمْ لِكَيْلَا يَكُونَ عَلَيْكَ حَرَجٌ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٥٠﴾

O al-Nabiyy! We have made lawful to you your wives to whom you have paid their dowers; and those whom your right hand possesses out of the prisoners of war whom Allah has assigned to you; and daughters of your paternal uncles and aunts, and daughters of your maternal uncles and aunts, who migrated [from Makkah] with you; and any believing woman who dedicates her soul to al-Nabiyy if al-Nabiyy wishes to wed her; this only for you, and not for the Believers [at large]: We know what We have appointed for them as to their wives and the captives whom their right hands possess; in order that there should be no difficulty for you. And Allah is Oft-Forgiving, Most Merciful. (al Ahzab 33:50)

That approval is also included under the name of Sunnah or Hadith which Rasul-Allah ﷺ gave like approval of Rasul-Allah ﷺ over *mudariba* which people were practising at that time, his approval for ‘A’ishah’s playing with dolls, his approval for the war exercise of Abyssinians in *masjid* and approval for eating iguana, similarly, those events which took place before his *Nubbuwah* like his seclusion in the Hirra cave his esteemed etiquettes and other sublime deeds (trustworthiness, pioussness, nobility, and kindness towards relatives etc), as Khatijah once said: by Allah! Allah will never disgrace you, certainly you treat well your relatives, tolerate the woes of others, entertain the guest, and assist the

forlorn, help the truthful etc, all these examples benefit the cognizance of *Nubbuwah* and its truthfulness, these events and circumstances too are mentioned in the biographical books and other details of Rasul Allah's life are also mentioned for this purpose. So that complete information of Rasul-Allah's ﷺ life history is ascertained thus, these informations are also included in Ahadith.³⁰

The word 'Sunnah' in the words of venerable predecessors, Ibn Taimiyyah said:

ولفظ (السنة) في كلام السلف، يتناول السنة في العبادات وفي الاعتقادات،
وان كان كثير ممن صنف في السنة الكلام في الاعتقادات،
وهذا قول ابن مسعود وأبي بن كعب وأبي الدرداء؛ اقتصاد في سنة خير من اجتهد في بدعه

The word Sunnah, in the speech of esteemed predecessors includes Sunnah in worship and in beliefs, though there are a number of [persons] who categorized the Sunnah and intend the discussion in beliefs, as used to say Ibn Mas'ud. Ubai Ibn Ka'b and Abu al Darda: thriftiness in Sunnah is better than exertion in *bid'ah*.³¹

Sunnah in the view of other A'imah³²

١. السنة وهي تطلق على قول الرسول ﷺ وعلى فعله والحديث مختص بقوله

1. "The word Sunnah is applicable to the saying and deed of al-Rasul ﷺ, and is applied to what he has approved."³³

٢. يطلق لفظ السنة على ما جاء منقولاً عن الرسول ﷺ من قول أو فعل أو تقرير

2. "The word Sunnah is applicable to the saying, deed of al-Rasul and what he approved."³⁴

٣. السنة في عرف المحدثين وجمهور أهل الشرع كل ما صدر عن الرسول ﷺ

من قول أو فعل أو تقرير سواء صدر عنه باعتباره رسولاً أم باعتباره انساناً من البشر

3. "The meaning of Sunnah according to *muhaddithun* and religious scholars is as: whatever saying, deed and approval is committed by al-Rasul whether as a Rasul or as a human being is called Sunnah."³⁵

٤. السنة ما شرعاً في قول النبي ﷺ وفعله وتقريره

4. "Sunnah according to *Shari'ah* is every saying, deed and approval of al-Nabiyy ﷺ."³⁶

٥. اما السنة فتطلق في الأكثر على ما اضيف الى النبي ﷺ من قول أو فعل

أو تقرير فهي مرادفه للحديث عند علماء الأصول

5. "The word Sunnah is applicable to the saying; deed and approval of al-Nabiyy ﷺ. Scholars of jurisprudence consider the Sunnah as the synonym of Hadith."³⁷

٦. أما السنه فهي لغه الطريقه و اصطلاحاً مرادفه للحديث بالمعنى

المتقدم الذى هو كل ما اضيف الى النبى ﷺ

6. "Literal meaning of Sunnah is the way. Technically it is the synonym of Hadith, which means every thing imputed to al-Nabiyy."³⁸

٧. و السنه ههنا ما صدر عن النبى ﷺ غير القرآن من قول و يسمى الحديث اوفعل او تقرير

7. "The meaning of Sunnah is, whatever saying is reported from al-Nabiyy ﷺ, except Qur'an and it is known as Hadith whether deed or approval."³⁹

٨. و السنه هي المرويه عن الرسول ﷺ قولاً وفعلاً

8. "Sunnah means whatever deed and saying is narrated from al-Rasul."⁴⁰

٩. السنه ما ورد عن النبى ﷺ غير القرآن اوفعل او تقرير

9. "Sunnah means whatever is mentioned [or performed] by al-Nabiyy ﷺ except Qur'an either deed thereof or approval."⁴¹

١٠. و السنه لغه العاده و شريعته مشترك بين ما صدر النبى ﷺ

غير القرآن اوفعل او تقرير و بين ما واطب عليه النبى ﷺ بلا وجوب

10. Literally Sunnah is used in the meaning of habit. It includes both the things i.e. whatever saying, deed, and approval is committed by al-Nabiyy ﷺ and whatever is continuously committed by al-Nabiyy ﷺ without obligation.⁴²

١١. و السنه لغه العاده و ههنا ما صدر عن الرسول ﷺ غير القرآن اوفعل

او تقرير كذا فى شرح المختصر

11. "Sunnah means habit, here it means whatever saying, deed, and approval is committed by al-Rasul ﷺ except Qur'an. Same [definition] is in the *Sharah al-mukhtasar*"⁴³

١٢. السنه هي قول الرسول ﷺ اوفعله

12. "Sunnah means the saying and deed of al-Rasul."⁴⁴

١٣. و انما اختار لفظ السنه دون لفظ الخبر كما ذكره غيره لان لفظ

السنه شامل لقول الرسول ﷺ وفعله عليه السلام

13. "The word Sunnah has been selected instead of *khbr* (news) because the word Sunnah includes the saying and deed of al-Rasul ﷺ."⁴⁵

١٤. السنه تطلق على قول الرسول ﷺ وفعله و سكوته على اقوال الصحابه و افعالهم

14. “The word Sunnah is applied to the saying, deed and approval of al-Rasul ﷺ for the sayings and deeds of *Sahabah*.”⁴⁶

١٥. السنه شرعا ما نقل عن الرسول ﷺ قولاً او فعلاً او اقراراً على فعل

15. “In *Shari‘ah*, Sunnah means whatever saying, deed, or approval over any deed is narrated from al-Rasul ﷺ.”⁴⁷

١٦. السنن تنقسم لثلاثة اقسام قول من النبي ﷺ وفعل منه او شئ رآه فعله فاقر عليه

16. “Sunnah is divided into three types, saying and deed of al-Nabiyy ﷺ or he saw anything [happening] and knew it and then permitted it.”⁴⁸

١٧. يطلق لفظ السنه على ما جاء من قول النبي ﷺ على الخصوص

مما لم ينص عليه في الكتاب العزيز

17. “The word Sunnah is applied on whatever is narrated from al-Nabiyy ﷺ especially on those things about which there is no verse in the Qur’an.”⁴⁹

Meaning of Sunnah in jurisprudence

Sunnah, in the terminology of scholars of jurisprudence, is one of the basis of commandments of *Shari‘ah* and a source of its sources, which is second after the Qur’an in status.⁵⁰

‘Ad al Din ‘Iji has defined the Sunnah as:

كل ما صدر عن النبي ﷺ غير القرآن الكريم من قول او فعل او تقرير

“Whatever saying, deed and approval are committed by al-Nabiyy ﷺ except the Qur’an is Sunnah.”⁵¹

Shaikh Muhammad ‘Ujaj writes:

واما السنه في اصطلاح الفقهاء فهي كل ما ثبت عن النبي ﷺ لا من باب

الفرض ولا الواجب، فهي الطريقه المتبعه في الدين من غير افتراض ولا وجوب

“In the terminology of jurists, Sunnah denotes every thing which is proved from al-Nabiyy ﷺ and is neither obligatory nor compulsory and it is the way which will be followed in Islam but it is neither obligatory nor compulsory.”⁵²

Muhaddithun and biographers, whose task is to preserve the complete life history of Rasul-Allah ﷺ, defines the Sunnah as follows:

كل ما أثر عن النبي ﷺ من قول او فعل او تقرير او صفه خلقه او سيره سواء

كان ذلك قبل البعثة كتبعته في غار حراء ام بعدها و السنه بهذا المعنى مرادفه للحديث النبوى

Sunnah means the collection of all sayings, deeds, approvals, moral qualities, virtues and biography of al-

Nabiyy ﷺ whether before annunciation like worship [seclusion] in the Hirra cave or after it. According to this definition, Sunnah is synonym of Hadith of al-Nabiyy.⁵³

Mujtahidun whose main intension is to compose and compile the life of Rasul-Allah ﷺ and to extract the commandments of *Shari'ah* from it, they define the Sunnah as follows:

كل ما صدر عن النبي ﷺ غير القرآن الكريم من قول او فعل او تقرير
مما يصلح ان يكون دليلاً لحكم شرعى

“Except Qur'an, all those sayings, deeds and tacit approvals which are committed by al-Nabiyy ﷺ and can be the source of commandments of *Shari'ah* is all Sunnah.”⁵⁴

Difference between the Sunnah and the Hadith

If we ponder over the opinion of *muhaddithun* we find the words of Sunnah and Hadith synonymous. Both words are used in place of each other, and the meaning of both words is imputed to the saying, deed, tacit approval and attributes of Rasul-Allah ﷺ. However if words of Sunnah and Ahadith will be examined through the principles of history, it will become obvious that in view of language and technique, a minute difference is found in the use of these words.

The word Sunnah in view of its origin is not synonym and equal to word Hadith. Literally the word Sunnah is applicable to 'religious way' on which Rasul-Allah ﷺ remained persistent in his life, because the literal meaning of Sunnah is 'way'. The word Hadith is common and it includes all the sayings and deeds of Rasul-Allah ﷺ. In contrast to it, the word Sunnah is specific for deeds thereof. In view of the difference between the meanings of both words, *muhaddithun*, some times says:

هذا الحديث مخالف للقياس السنة والاجماع

“This Hadith is opposite to *qiyas* (presumption), Sunnah and consensus, or they say:”

امام فى الحديث و امام فى السنة و امام فيهما معاً

“He is Imam of Hadith and he is Imam of Sunnah and he is Imam of both (Hadith and Sunnah).”

It is surprising that the meaning of both the words seems to be of different kind, as is evident from Ibn Nadim's book *Kitab al Sunan bi Shawahid al Hadith*.

It becomes obvious from this name that the meaning of Hadith and Sunnah is different.⁵⁵

The word Sunnah is applied to inherited action and therefore, the question of its revocation does not arise. Some times Hadith happens to be *nasikh* (abrogator) and some times *mansukh* (abrogated), but Sunnah never happens to be revoked. Sunnah is that (action) which is inherited and continuous. Hadith sometimes happens to be weak and some times authentic. The difference of weak and authentic is a knowledgeable status, contrary to Sunnah where action (deed) always remains prominent. That is why reason that Muslims have imputed themselves always towards Sunnah in terms of their *maslak* (school of thought) and are known as *Ahl al Sunnah* (people following Sunnah).

Though application of words Sunnah and Hadith is often used in different meanings, but Hadith critics have always considered them equal and synonym or at least near in meaning. Because practical Sunnah is nothing but the behaviour (attitude) of Rasul-Allah ﷺ for which he used his wise sayings and Ahadith. But in general sense the topic of Hadith and Sunnah is the same. The centre of both is the same, that is, the sayings and deeds of Rasul-Allah ﷺ. It is obvious that his sayings confirm his deeds and his deeds are strengthened by his sayings. When the above-mentioned realities began to rotate in the minds of Hadith critics, they had to confess this un-refutable reality in clear words that if we ignore the basic source of both Hadith and Sunnah then according to their use, they are one and there exists no prominent difference between them. In view of these realities, often *muhaddithun* passed the decision being synonym thereof.⁵⁶

Status of Sunnah in Islam

According to the commandments of the Qur'an and the Sunnah, Sunnah has the same status as of Qur'an. It is known and undisputable that the rank of the Qur'an in comparison to the Sunnah in this respect is distinguished and elevated as the former is the word of Allah and its recitation is ordered and mankind cannot present a word like it. On the contrary, Sunnah in this respect is lower than the Qur'an but that does not mean as a source of Islam they have superiority over one another and status of Sunnah, according to its reliability and argument, is lower than Qur'an? Or in case of contradiction between the two, Sunnah will be left and only Qur'an will be practised? It is a fact that, Qur'an's authenticity is that, it is Divine revelation and has been written under the supervision of Muhammad himself. Since, had it not been a word of Allah and everlasting miracle, its recitation would not have been ordered and *Nubbuwah* would have been proved by other miracles, and the acceptance of its authenticity was necessary as the previous Divine books were accepted. In this aspect Sunnah is equal to Qur'an, and it

(Sunnah) is also revelation like Qur'an. So it is important to note that status of Sunnah is not after the Qur'an as far as its authority is concerned.

It can be said that whatever is narrated from Rasul-Allah ﷺ, it may be doubted that those commandments are put forward by diligence in which errors are possible, thus Sunnah cannot be equal to the Qur'an because Qur'an is completely revealed and is safe from doubts. The answer to this objection is that we argue by authority of Sunnah only after believing that, since Allah is aware of all deeds and sayings of Rasul-Allah ﷺ, so Rasul-Allah ﷺ possess a special support and attestation by Allah and he is infallible from committing an error or slip and this Divine protection prove clearly the authority of deeds committed by Rasul-Allah ﷺ as argument of explicit revelation proves the authenticity of commandments.

It is also an established fact that there are various verses in the Qur'an which acquire the evidence of Sunnah. In this meaning, Sunnah is a branch of Qur'an. But that does not mean that status of Sunnah as far as its reliability and argumentation is concerned, is after the Qur'an but it proves the equality of these two, because, for the sake of identifying apparent meaning of one verse, which is contradictory to the evidence of Sunnah, makes incumbent the denial of various such verses by denying the proof which clearly elucidates its evidence and, we by denying one verse will deny such various verses which completely point out the evidence of deeds and sayings committed by Rasul-Allah.⁵⁷

It is also admitted fact, according to esteemed 'ulama that revelation of Book is not stipulated for the *risalah* of Rasul-Allah ﷺ but the sending down of *Shari'ah* is stipulated which he proclaims to his *ummah* and miracles by him are necessary as is mentioned in *Sharh al 'Aqid al Nisfah* vol.1, p.54 and foot note thereof.

Similarly, the evidence of un-recited revelation is not dependent upon the advent of recited revelation because both are from Allah and both are miraculous, whether that miracle is Qur'an or anything else. This miracle proves the sublimity and superbness of Rasul-Allah ﷺ in preaching the Divine commandments.⁵⁸

This opinion has been expressed in *al Muafiqat* by Imam Shatibi that as for as its rank is concerned it possess the status after the Qur'an; some of the later writers have also followed him in this matter.

As Qur'an reached us with continuity, Sunnah does not possess that status. Some part of Sunnah is having continuity, but all narrated texts do not possess the status of continuity as Qur'an. Various passages and deeds possess continuity. Congregational *salah* obligatory thereof, *azkar-i-sunan* (memorization prescribed by Rasul-Allah ﷺ) in spite of variety possess continuity in terms of collectivity.

But a great treasure of affairs, wars and biography is reported by solitary narrators. Discussions about ‘ilm al asnad critical examinations of men, there remain some passages which are also indebted to solitary narrations. But the rank of these solitary narrations on many times is higher than reported narrations. The criticism and reporting of *muhaddithun*, which are different from history and news, are more reliable. Even ‘ulama have accepted solitary narrations as reliable source of Islam by extracting commandments affairs from it, estimation of solitary narrations can neither be suspected nor be counted under myths, as often rejecters of Hadith think or do. Muslim ‘ulama have always preferred the solitary narration over *qiyas* (presumption and opinion). Therefore, men of letters have collectively considered the knowledge (science) of Ahadith completely different from history and reporting narrations, the connection of *muhaddithun* and historians i.e. that of common and particular people, i.e., and every *muhadith* happens to be narrator but every narrator does not happen to be *muhadith*.

Imam Ibn Taimiyyah says Allah Almighty sent His *Anbiya*’ as givers of glad tidings and as warners and at their end sent Muhammad ﷺ, who is best of the earlier as well as the later generations (*awwalin wa akhirin*), true guide, illuminating lamp by through whom, Allah brought the people from darkness to light and showed them the right path when people were in infidelity and ignorance. Rasul-Allah ﷺ uninterruptedly preached Islam till the sun of faith rose to the heights; the darkness of lying got vanished. Al-Rahman’s (The Beneficent) army achieved reverence where as Shaitan’s army got defamed and disgraced. Light (of truth) and the Qur’an became dominant and recitation of the Qur’an and *adhan* was performed thus, evidence got established over *Jinn* and men. Mankind will acquire its fortune in this world and emancipation in Hereafter only by obedience to Rasul-Allah.⁵⁹

Imam quotes a Hadith:

عَنْ الْعِرْبَاضِ بْنِ سَارِيَةَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ يَبْقَى مِنْكُمْ يَرَى الْخِلَافَ كَثِيرًا وَإِنَّا كُمْ
وَمُخَدَّاتِ الْأُمُورِ فَإِنَّهَا ضَلَالَةٌ فَمَنْ أَدْرَكَ ذَلِكَ مِنْكُمْ فَعَلَيْهِ بِسُنَنِ الْخُلَفَاءِ الرَّاشِدِينَ الْمُهَيَّيِّينَ عَصُوا
عَلَيْهَا بِالنُّوَاجِدِ

Narrated ‘Irbaz ibn Sariyah that, Rasul-Allah ﷺ said: whosoever, among you [shall] survive, shall see often vast differences [in religion] so, you follow strictly my Sunnah and Sunnah of my rightly guided *khulfa*’ and hold on to it with your teeth.⁶⁰

After narrating this Hadith, Imam said: Allah has mentioned the obedience to Rasul-Allah ﷺ approximately on 40 occasions in the Qur’an. Allah has made love for Him conditional to the obedience to His Rasul.

Moreover, Imam says, Allah the Exalted has differentiated by Muhammad ﷺ belief and disbelief, benefit and loss, guidance and misguidance, emancipation and torment, distractions and aggrandizement, heavenly people and people of the Hell. Hence it is important for every one to acquire the knowledge of what Rasul-Allah ﷺ brought, and to his utmost capacity obey him. This is the only way to achieve emancipation from tormenting punishment in Hereafter. Mere reason cannot guide mankind until it submits itself to the revelation. Thus, revelation and reason are both complementary and essential to live righteous life on earth.⁶¹

The Imam further adds, Allah the Exalted sent Muhammad ﷺ with Book and Sunnah, and accomplished the bounties over *ummah* by the Qur'an and Sunnah.

لَقَدْ مَنَّ اللَّهُ عَلَى الْمُؤْمِنِينَ إِذْ بَعَثَ فِيهِمْ رَسُولًا مِنْ أَنْفُسِهِمْ
يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ
وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ ﴿١١٤﴾

Allah did confer a great favour on the Believers when He sent among them a Rasul from among themselves, rehearsing unto them the Signs of Allah, sanctifying them, and instructing them the Book and *hikmah*, while before that, they had been in manifest error.
(al 'Imran 3:164)

Moreover the Imam adds by quoting the verses:

وَمِنْ حَيْثُ خَرَجْتَ فَوَلِّ وَجْهَكَ شَطْرَ الْمَسْجِدِ الْحَرَامِ وَحَيْثُ مَا كُنْتُمْ
فَوَلُّوا وُجُوهَكُمْ شَطْرَهُ إِلَّا لِمَنْ يَكُونُ لِلنَّاسِ عَلَىكُمْ حُجَّةٌ إِلَّا الَّذِينَ
ظَلَمُوا مِنْهُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنِي وَلَا تَمِمْ نِعْمَتِي عَلَيْكُمْ وَلَعَلَّكُمْ
تَهْتَدُونَ ﴿١٥٠﴾ كَمَا أَرْسَلْنَا فِيكُمْ رَسُولًا مِنْكُمْ يَتْلُوا عَلَيْكُمْ آيَاتِنَا
وَيُزَكِّيكُمْ وَيُعَلِّمُكُمُ الْكِتَابَ وَالْحِكْمَةَ وَيُعَلِّمُكُم مِمَّا لَمْ تَكُونُوا
تَعْلَمُونَ ﴿١٥١﴾ فَادْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ وَأَشْكُرُوا لِي وَلَا تَكْفُرُونِ ﴿١٥٢﴾

So from whencesoever you comes forth, turn your face in the direction of the Sacred Mosque; and whosoever you are, turn your face thither: that there be no ground of dispute against you among the people, except those of them that are bent on wickedness; so fear

them not, but fear Me; and that I may complete My favours on you, and you may [consent to] be guided; A similar [favour have you already received] in that We have sent among you a Rasul of your own, rehearsing to you Our Signs, and purifying you, and instructing you the Book and *hikmah*, and in new knowledge. Then do you remember Me; I will remember you. Be grateful to Me and reject not Faith. (al Baqarah 2:150-152)

لَقَدْ مَنَّ اللَّهُ عَلَى الْمُؤْمِنِينَ إِذْ بَعَثَ فِيهِمْ رَسُولًا مِّنْ أَنفُسِهِمْ
يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَبَيِّنْ لَهُمُ الْوَسْطَىٰ وَالْحِكْمَةَ
وَإِنْ كَانُوا مِن قَبْلُ لَفِي ضَلَالٍ مُّبِينٍ ﴿١١٤﴾

Allah did confer a great favour on the Believers when He sent among them a Rasul from among themselves, rehearsing unto them the Signs of Allah, sanctifying them, and instructing them the Book and *hikmah*, while before that, they had been in manifest error. (al 'Imran 3:164)

وَإِذَا طَلَقْتُمُ النِّسَاءَ فَبَلِّغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ سِرِّهُنَّ
بِمَعْرُوفٍ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِّتَعْتَدُوا وَمَن يَفْعَلْ ذَلِكَ فَقَدْ ظَلَمَ
نَفْسَهُ وَلَا تَتَّخِذُوا آيَاتِ اللَّهِ هُزُوًا وَأَذْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ وَمَا
أَنزَلَ عَلَيْكُمْ مِّنَ الْكِتَابِ وَالْحِكْمَةِ لِيُعْظِمَكُمْ بِهِ وَأَتَّقُوا اللَّهَ وَاعْلَمُوا
أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿٢٣١﴾

When ye divorce women, and they fulfill the term of their [*Iddat*], either take them back on equitable terms or set them free on equitable terms; but do not take them back to injure them, [or] to take undue advantage; if anyone does that, he wrongs his own soul. Do not treat Allah's Signs as a jest, but solemnly rehearse Allah's favours on you, and the fact that He sent down to you the Book and *hikmah*, for your instruction. And fear Allah, and know that Allah is well-acquainted with all things. (al Baqarah 2:231)

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِّنْهُمْ يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَبَيِّنْ لَهُمُ
وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَإِنْ كَانُوا مِن قَبْلُ لَفِي ضَلَالٍ مُّبِينٍ ﴿٢٣١﴾

It is He Who has sent amongst the Unlettered Rasul from among themselves, to rehearse to them His Signs, to sanctify them, and to instruct them the Book and *hikmah*, although they had been, before, in manifest error. (al Jumu'ah 62:2)

رَبَّنَا وَأَبْعَثْ فِيهِمْ رَسُولًا مِّنْهُمْ يَتْلُو عَلَيْهِمْ آيَاتِكَ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَيُزَكِّيهِمْ إِنَّكَ أَنْتَ الْعَزِيزُ الْحَكِيمُ ﴿١٣٩﴾

“Our Rabb! Send amongst them a Rasul of their own, who shall rehearse Your Signs to them and instruct them in Scripture and Wisdom, and sanctify them: for You are the Exalted in Might, the Wise.”

(al Baqarah 2:129)

وَأَذْكُرَنَّ مَا يَتْلَىٰ فِي بُيُوتِكُمْ مِّنْ آيَاتِ اللَّهِ وَالْحِكْمَةِ إِنَّ اللَّهَ كَانَ تَطِيفًا خَبِيرًا ﴿٢٤﴾

“And recite what is rehearsed to you in your homes, of the Signs of Allah and His *hikmah*: for Allah understands the finest mysteries and is well-acquainted [with them].” (al Ahzab 33:34)

Many ‘*ulama* including Qatadah and Imam Shafi‘i consider the meaning of *hikmah* in above verses as Sunnah.⁶²

Imam Ibn Taimiyyah completely agrees with Imam Shafi‘i that meaning of *hikmah* in the given verses is Sunnah. As we have mentioned above that Imam Ibn Taimiyyah says, Allah Almighty sent Muhammad ﷺ with the Qur’an and Sunnah thus, he considers the bounty (al Baqarah 2:150) included in both the Qur’an and Sunnah.

بعث محمد أبا لكتاب و السنة، وبهما أتم على أمته المنه

(Allah sent) Muhammad with the book and Sunnah and with them completed his favour upon his *Ummah*.

“After quoting the above mentioned 34th verse of *surah al Ahzab* about *hikmah*, he says:”⁶³

لأن الله امر ازدواج نبيه ان يذكر ما يتلى في بيوتهم من الكتاب والحكمة، والكتاب: القرآن، وما سوى ذلك مما كان الرسول ﷺ يتلوه هو السنة

Because Allah orders the wives of His Nabiyy that remember what is recited in their houses from the Book and *hikmah*, the Imam says, the meaning of the Book is Qur’an, hence it is obvious whatever al-Rasul used to recite other than Qur’an that is Sunnah.⁶⁴ He argues from another Hadith for the authority of Sunnah and its being revelation from Allah.

٣٩٨٨ مَرْثَا عَبْدُ الْوَهَّابِ بْنِ تَجْدَةَ حَدَّثَنَا أَبُو عَمْرٍو بْنُ كَثِيرٍ بْنُ دِينَارٍ عَنْ حَرِيزِ بْنِ عُثْمَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَوْفٍ عَنِ الْمُقْدَامِ بْنِ مَعْدَى كَرِيبٍ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ لَا إِشْنَ أُوتِيَتْ الْكِتَابَ وَمِثْلُهُ مَعَهُ إِلَّا يَوْمِيكَ رَجُلٌ شَبَعَانٌ عَلَى أَرِيكِتَيْهِ يَقُولُ عَلَيْكُمْ بِهَذَا الْفَرْأَنِ فَمَنَّا وَجَدْنَاهُ فِيهِ مِنْ خَلَالٍ فَأَجْلَوْهُ وَمَا وَجَدْنَاهُ فِيهِ مِنْ خِزَامٍ فَخَرَّمُوهُ إِلَّا لَا يَجِلُّ لَكُمْ لَحْمُ الْحِمَارِ الْأَهْلِيِّ وَلَا كُلُّ ذِي نَابٍ مِنَ الشَّيْعِ وَلَا لُقْطَةُ مُغَاهِدٍ إِلَّا أَنْ يَسْتَفِيسَ عَنْهَا صَاحِبُهَا وَمَنْ نَزَلَ بِقَوْمٍ فَعَلَيْهِمْ أَنْ يَفْرُوهُ فَإِنْ لَمْ يَفْرُوهُ فَلَهُ أَنْ يُعَقِّبَهُمْ بِمِثْلِ قِرَافَةٍ ﴿٦٥﴾

Rasul Allah said: Listen carefully I have been given the Book and along with it a thing like it [i.e. implied revelation]. Listen carefully! Soon a glut toned person will say reclining on his pillow: only the obedience of the Qur'an is a must for you. Whatever you find lawful in it, take that as lawful and whatever you find unlawful in it, take that as unlawful. (Indeed, whatever Rasul-Allah ﷺ made unlawful is as if Allah made it unlawful). Beware! Pet donkeys are not lawful to you neither the animals with pointed teeth and nor the offending of any *dhimi* is lawful for you, but its owner is carefree about that. The one who is staying at any place, it is inhabitants to hospitalize him and same is incumbent for the said guest to hospitalize the same hosts when they give visit to him, as they had hospitalized him.⁶⁵

The whole treasure of Ahadith does not possess the same kind of continuity (*tawatur*) as the Qur'an possess. That is why scholars of Sunnah have given canonical order to *Shari'ah* proofs (i.e. the Qur'an the Sunnah). However, some times Hadith texts are preferred over the Qur'an as is obvious by such Ahadith upon which *ummah* practises for some time but confirmation thereof in the Qur'an comes after a long period of time such as:

1. The congregational *salah* was made obligatory upon Rasul-Allah ﷺ during the night of *mei'raj* (the ascent of the Rasul-Allah to the heavens). Explanations thereof i.e. recitals and number of *rak'ats* were elucidated at the same time by means of Sunnah. After it, Qur'an briefly supported them and this process lasted for a long period of time.
2. *Wudu* was a condition for *salah*. In the morning of *mei'raj*, Jibril taught him the way of *wudu*, and then *Sahabah* persistently used to make *wudu* and offer *salah*. But *surah Mai'dah* was revealed 10 years after the *mei'raj* i.e., in 9 A.H, in which *wudu* and obligatory thereof were mentioned according to the authentic narrations, *mei'raj* journey took place in 12th year of *Nubbuwah* i.e. at least one year before *hijrah* (emigration).
3. *Sahabah* had already commenced Friday congregational *salah* in Madinah, before the *hijrah* and arrival of Rasul-Allah ﷺ. As'ad Ibn Zurarah used to lead the Friday *salah* in Madinah before the arrival of Rasul-Allah ﷺ *surah Jum'ah* by which Friday *salah* is justified, according to reliable narrations was revealed after

the arrival of Muhammad ﷺ at Madinah. Friday *salah* had already started and *surah Jum'ah* confirmed it. According to narrations *surah Jum'ah* is a *Madini surah* (revealed in Madinah), because it was revealed in Madinah, thus, the issue becomes more clear that the order of Friday *salah* being obligatory in the Qur'an came in a time when Friday *salah* had already begun in Madinah.

4. Musa was bestowed *Nubbuwah* while returning from Madyan and at that time the *Torah* was not revealed to him. Musa held competition with Fir'awn, Haman and elders of *Qibt* on the basis of un-recited revelation (*wahy khafi*) Sunnah and this process continued on the basis of un-recited revelation. It is evident from the Qur'an that *Torah* was bestowed upon him after the destruction of Fir'awn, during his stay in the desert of *Tiyah*. Fir'awn's destruction and ruin took place due to his opposition to un-recited revelation, since in *surah Qasas* after the subversion of Fir'awn's army, it is said:

وَلَقَدْ آتَيْنَا مُوسَى الْكِتَابَ مِنْ بَعْدِ مَا أَهْلَكْنَا الْقُرُونَ
الْأُولَىٰ بَصَائِرَ لِلنَّاسِ وَهُدًى وَرَحْمَةً لَّعَلَّهُمْ يَتَذَكَّرُونَ ﴿٤٣﴾

“We did reveal to Musa the Book after We had destroyed the earlier generations, [to give] Insight to men, and Guidance and Mercy, that they might receive admonition.” (al Qasas 28:43)

Sunnah as the only medium of revelation

The dependence of some of the *Anbiya'*, remained only over Sunnah throughout their lives. In *surah al Nisa* Allah says:

إِنَّا أَوْحَيْنَا إِلَيْكَ كَمَا أَوْحَيْنَا إِلَىٰ نُوحٍ وَالنَّبِيِّينَ مِنْ بَعْدِهِ وَأَوْحَيْنَا
إِلَىٰ إِبْرَاهِيمَ وَإِسْمَاعِيلَ وَإِسْحَاقَ وَيَعْقُوبَ وَالْأَسْبَاطِ وَعِيسَىٰ
وَأَيُّوبَ وَيُونُسَ وَهَارُونَ وَسُلَيْمَانَ وَآتَيْنَا دَاوُدَ زَبُورًا ﴿١١٣﴾

We have sent you revelation, as We sent it to Nuh and *Anbiya'* after him: We sent revelation to Ibrahim, Isma'il, Ishaq, Yaqub, and the tribes, to 'Isa, Ayub, Yunus, Harun, and Suliaman, and to Dawud We gave the psalms. (al Nisa 4:163)

The revelation of Rasul-Allah ﷺ has been likened to all the *Anbiya'* who came after Nuh, except Masih, Dawud and Ibrahim about all *Anbiya'*, there is no intimation about any book. Their revelation was of un-recited kind. When revelation, of Rasul-Allah ﷺ has been likened to both the kinds of recited and un-recited revelations, it is obvious that both kinds of revelation have been revealed

upon Rasul-Allah ﷺ. The words of the Qur'an were sent down and the meaning of Sunnah was expressed.

It is on the basis of such elucidations of Sunnah about the Qur'an that 'Allamah Musa Jar al Allah enunciates as:

فالسنة في الشرائع والقوانين اصل الاصول وحى في شرع الاسلام
|ول بين الاصول الاربعة والكتاب الكريم يزيد الاصل الاول ويثبت

“According to *Shari'ah* and canon, Sunnah is the first principle out of four basic principles and al-Kitab (the Qur'an) is its affirming and asserting [authority].”⁶⁶

Hafiz Ibn Kathir says:

والسنة ايضاً تنزل عليه بالوحى كما ينزل بالقرآن الا انها لا يتلى كما يتلى القرآن

Just as Qur'an has been revealed through revelation, similarly Sunnah was sent down through revelation. The only difference between the two is that Qur'an is the recited revelation and Hadith is un-recited revelation.⁶⁷

Imam Hazmi says in his book *al-Nasikh wal Mansukh*:

السنة كان ينزل بها جبرائيل ويعلمها رسول الله ﷺ
فمعنى التنزيل ما قال رسول الله ﷺ
اذا كان ذلك باسناد ثبت عنه

“Jibril was coming down with Sunnah and was teaching it to Rasul-Allah ﷺ. Thus, every statement of Rasul-Allah ﷺ which is authentic is also revelation.”

It is mentioned in the *Musnad Darimi*:

عن حسان قال كان جبريل ينزل على النبي ﷺ بالسنة كما ينزل عليه القرآن

“Hasan narrated that Jibril was coming down with Sunnah unto al-Nabiyy ﷺ, as he was coming down with the Qur'an unto him.”⁶⁸

Imam Shafi'i says in his book *Kitab al-Umm*:

انه لم يسن شيئاً الا بما مر على وجهين اما بوحى يتلى على الناس واما برسالة
عن الله ان افعل كذا يقول الله تعالى (وانزل عليك الكتاب والحكمة) فالكتاب ما يتلى
والحكمة السنة وهو ما جاء عن الله بغير تلاوته ويريد ذلك في قصة العسيف
لاقضين بينكما بكتاب الله اى بوحيه

“(Rasul-Allah) did not issue any canonical decision on the basis of two sources, recited revelation or un-recited revelation.”

Allah the Exalted said: “and sent down Book (Qur'an) and *hikmah* upon you.” (al Nisa 4:113).

Book means Qur'an or recited revelation and *hikmah* means un-recited revelation (Sunnah). The assertion thereof is the incident of *al 'Aseef* (a labour who committed fornication with the wife of his master and on presenting his litigation in the court of Rasul-Allah, he said: that) I will decide your case by the Book of Allah. (Then he gave decision i.e. lashing (whipping) and execution, generally that decision is not in the Qur'an but is in Hadith, which clearly states that by Book of Allah means the un-recited revelation thereof i.e. Sunnah).⁶⁹

By turning the pages of Ahadith books, it becomes evident that, whenever Rasul-Allah ﷺ was asked about any issue, if he knew then he replied otherwise, he used to wait for the Divine revelation and then would reply. There are ample examples of it such as:

1. One person asked, about all places in the world, which place is better and most desired before Allah? Rasul-Allah ﷺ said, I don't know, I will reply to you after asking Jibril. Jibril came and Rasul-Allah ﷺ asked him, Jibril answered; I don't know he ascended to heavens to know about it. He came down after asking Allah and said:

ان احب البقاع الى الله المساجد واغض البقاع الى الله الاسواق

“Best of all places before Allah are *Masajid* and worst of all places before Allah are markets.”⁷⁰

It is known by this incident that Hadith is also sent down by Allah and is Divine revelation, and it used to reveal unto him through Jibril.

2. Use of fragrance (perfume) is disallowed during *hajj*. One of the Companions due to unawareness used the perfume in the *ahram* of *'umrah*, and had put on the gown, too. He asked Rasul-Allah ﷺ what to do? Rasul-Allah ﷺ didn't know the answer and when revelation came to him he gave answer to him that wash the perfume and put off the gown.

There are a number of events like it; *Imam* Bukhari has compiled a chapter in this connection:

باب ما كان النبي ﷺ يسأل مما لم ينزل عليه الوحي فيقول لا ادرى اولم يجب حتى ينزل عليه الوحي

“When al-Nabiyy ﷺ was asked such a thing, about which revelation had not come, he would say that I do not know or he would not give answer till the revelation would come to him.”

One person asked Imran Ibn Husain:

انكم لتحدثونا با حاديث ما نجد لها اصلا في القرآن فغضب عمران و قال للرجل اوجدتم في كل اربعين درهما درهم ومن كل كذا كذا شاه شاه ومن كذا كذا بغير اكذا كذا اوجدتم هذا في القرآن قال لا قال فعمن اخذتم هذا اخذتموه عنا واخذناه عن النبي ﷺ وذكر اشياء نحو هذا

You narrate to us Ahadith whose basis we did not find in the Qur'an. Thereupon, 'Imran got angry and said to the man: do you find in the Qur'an that one *dirham* is due on forty *dirhams* [in *zakah*], and a goat is due on such-and-such number of goats and one camel will be due on such-and-such number of camels? He replied: no, he said: from whom did you take it? You took it from us, and we took it from al-Nabiyy ﷺ, he mentioned many similar things.⁷¹

Abu Ja'far Muhammad al Tabari says in his exegesis:

و بيان الكتاب يطلب من السنه و المبين لذلك المجمل هو الرسول ﷺ
ولهذا قيل متى وقع تعارض بين القرآن و الحديث و جب تقديم الحديث
لان القرآن مجمل و الحديث مبين بدلالته هذا لايه و المبين مقدم على المجمل

Commentary of the Qur'an and statement thereof should be understood by Ahadith and the speaker of this brief [statement] is al-Rasul ﷺ himself. Whenever, apparently there seems contradiction between the Qur'an and Hadith, then it is compulsory to prefer the Hadith, because the Qur'an is brief and Hadith is its elucidation and commentary and this is the established rule that the explicit and the elucidated has preference over brief.⁷²

al Baghdadi in his *tafsir Khazin* says:

لتبين للناس ما نزل اليهم يعني ما اجمل اليك من احكام القرآن و بيان الكتاب
يطلب من السنه والمبين لذلك المجمل هو الرسول ﷺ

"That you may explain clearly to men what is sent down to them. Whatever abstract commands of the Qur'an have been revealed to you, Sunnah is to explain it."⁷³

Similarly, Imam Baghwi has mentioned about this verse in *Mu'alim al Tanzil*.

ارادبا لذكر اوحى وكان النبي ﷺ مبينا للوحي و بيان الكتاب يطلب من السنه

"The meaning of *dhikr* in this verse (al-Nahal 16:44) is explicit revelation i.e. the Qur'an, al-Nabiyy is explanator of this revelation, and the Qur'an should be searched in Sunnah."

إِنَّ الَّذِينَ يَكْفُرُونَ بِاللَّهِ وَرُسُلِهِ وَيُرِيدُونَ أَنْ يُفَرِّقُوا بَيْنَ اللَّهِ
وَرُسُلِهِ وَيَقُولُونَ نُؤْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُونَ أَنْ يَتَّخِذُوا
بَيْنَ ذَلِكَ سَبِيلًا ﴿١٥٠﴾ أُولَٰئِكَ هُمُ الْكَافِرُونَ حَقًّا وَأَعْتَدْنَا لِلْكَافِرِينَ
عَذَابًا مُهِينًا ﴿١٥١﴾ وَالَّذِينَ آمَنُوا بِاللَّهِ وَرُسُلِهِ وَلَمْ يُفَرِّقُوا بَيْنَ
أَحَدٍ مِنْهُمْ أُولَٰئِكَ سَوْفَ يُؤْتِيهِمُ أَجْرُهُمْ وَكَانَ اللَّهُ غَفُورًا
رَحِيمًا ﴿١٥٢﴾

Those who deny Allah and His Rusul, and [those who] wish to separate Allah from His Rusul, saying: We believe in some but reject others: and those who wish to take a course midway. They are in truth [equally] unbelievers; and We have prepared for unbelievers a humiliating punishment. To those who believe in Allah and His *Rusul* and make no distinction between any of them, We shall soon give their [due] rewards: for Allah is Oft-Forgiving Most Merciful. (al Nisa 4:150-152)

In this verse, by mentioning the reasons of disbelief, Allah and His *Rusul* have been given a permanent status. Denial of Allah is disbelief (*kufr*) and denial of His *Rusul* is also the reason of infidelity. In this way, the status of Allah and *Rusul* in the shape of *iman* has been given a permanent rank. To believe in Rasul-Allah ﷺ is as important as to believe in Allah and denial of Rasul-Allah ﷺ is denial of Allah.⁷⁴

It is also known that Allah and His Rasul ﷺ are not one in terms of being one, as one is Creator another created, one is ruler the other ruled, one is the sole attorney the other is needy, one is absolute the other indigent. Rasul-Allah ﷺ through out his whole life never claimed to be the sole attorney and independent (carefree) and it is obvious, a person upon whom the sword of death is hanging, can neither claim to be Allah nor to be sole attorney thus, due to this, no one claimed the oneness of Allah and *Rusul*. So the question is what sort separation is this which has been condemned by the Qur'an?

The separation which has been clearly stated as disbelief is a separation in obedience.

The statement of character of hypocrites has been depicted in the style:

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنزَلَ اللَّهُ وَإِلَىٰ الرَّسُولِ رَأَيْتَ الْمُنَافِقِينَ
يَصُدُّونَ عَنْكَ صُدُودًا ﴿٣١﴾

“When it is said to them: Come to what Allah has revealed, and to al-Rasul: you see the Hypocrites avert their faces from you in disgust.” (al Nisa 4:61)

Since they know that sometimes words of Allah carry ambiguity so the only way out to distort the Quranic verses is to challenge the authority of the Sunnah but clarifications and annotations of Rasul-Allah ﷺ seized all the ways of misinterpretations.

Due to this, the hypocrites thought that there should be a difference in terms of obedience between Allah and His Rasul ﷺ, and when the sayings of Rasul-Allah ﷺ will be pushed down from the status of obedience and authority, then absolute liberty will be achieved from the elucidations of Sunnah, and there will be an opportunity for hypocrites to distort and misinterpret the Qur'an. But the Qur'an says it is totally disbelief. The status of Sunnah in obedience is clear-cut and permanent. As the elucidations of the Qur'an are binding likewise more than Qur'an, those elucidations which are reported from Rasul-Allah ﷺ, if they are not categorically found in the Qur'an, even then their obedience is obligatory as per the verses of the Qur'an, and their denial is infidelity.⁷⁵ Allah Almighty says:

إِنَّ الَّذِينَ يَكْفُرُونَ بِاللَّهِ وَرُسُلِهِ وَيُرِيدُونَ أَنْ يُفَرِّقُوا بَيْنَ اللَّهِ وَرُسُلِهِ وَيَقُولُونَ نُؤْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُونَ أَنْ يَتَّخِذُوا بَيْنَ ذَلِكَ سَبِيلًا ﴿١٥٠﴾ أُولَٰئِكَ هُمُ الْكَافِرُونَ حَقًّا وَأَعْتَدْنَا لِلْكَافِرِينَ عَذَابًا مُهِينًا ﴿١٥١﴾ وَالَّذِينَ آمَنُوا بِاللَّهِ وَرُسُلِهِ وَلَمْ يُفَرِّقُوا بَيْنَ أَحَدٍ مِّنْهُمْ أُولَٰئِكَ سَوْفَ يُؤْتِيهِمْ أَجْرُهُمْ وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا ﴿١٥٢﴾

Those who deny Allah and His Rusul, and [those who] wish to separate Allah from His Rusul, saying: We believe in some but reject others: and [those who] wish to take a course midway. They are in truth [equally] unbelievers; and We have prepared for unbelievers a humiliating Punishment. To those who believe in Allah and His Rusul and make no distinction between any of them, We shall soon give their [due] rewards: for Allah is Oft-Forgiving Most Merciful. (al Nisa 4:150-152)

They (who believe) do not differentiate in the obedience to Allah and His *Rusul*; they think the obedience of both compulsory and consider their sayings as authority as their main source is one and the same that is revelation.

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ ﴿١٦٧﴾

“He who obeys al-Rasul, obeys Allah”

(al Nisa 4:80)

Obedience to Rasul ﷺ is actually obedience to Allah; there is no difference between the obedience of Allah and obedience of His Rasul.

وَمَا أَرْسَلْنَا مِنْ رَسُولٍ إِلَّا لِيُطَاعَ بِإِذْنِ اللَّهِ وَلَوْ
 أَنَّهُمْ إِذْ ظَلَمُوا أَنْفُسَهُمْ جَاءُوكَ فَاسْتَغْفَرُوا اللَّهَ وَاسْتَغْفَرَ لَهُمُ
 الرَّسُولُ لَوَجَدُوا اللَّهَ تَوَّابًا رَحِيمًا ﴿٤٦﴾

We sent not a Rasul, but to be obeyed, in accordance with the will of Allah. If they had only, when they were unjust to themselves, come unto you and asked Allah's forgiveness, and al Rasul had asked forgiveness for them, they would have found Allah indeed Oft-Returning, Most Merciful. (al Nisa 4:64)

The obedience of every Rasul is by the permission of Allah. Allah the Exalted says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى
 الْأَمْرِ مِنْكُمْ فَإِنْ تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ
 كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

O you who believe Obey Allah, and obey al Rasul and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and al Rasul, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.

(al Nisa 4: 59)

Three types of obedience have been mentioned in this Quranic verse. a) Two types of obedience are permanent in which contradiction and dispute is impossible. That is why no apprehension has been expressed there, b) third obedience is impermanent and of temporary type. Rulers and Emperors may commit such an act which can be opposite to the teachings of Allah and His Rasul in this situation their obedience becomes null and void. Even if their intention is good, they can not be allowed to disagree with Allah and His Rasul, therefore, their obedience is of temporary nature not the permanent. Whether the meaning of (*ulul amar*) is taken as *khilafah* or Islamic scholars, their obedience would be temporary and impermanent, thus their obedience is conditional and it is necessary for them not to oppose the Qur'an and the Sunnah.

The aim of verse seems to be that whatever the name of leader or head will be, his obedience and loyalty is must, provided he should be the loyal to Allah and His Rasul.

لَا طَاعَةَ فِي مَعْصِيَةِ اللَّهِ

“There is no obedience for creatures in disobedience of Creator.”⁷⁶

Ulul amar: ‘those charged with authority, responsibility, decision or settlement of affairs’. All ultimate authority rests in Allah. *Anbiya* of Allah derive their authority from Him. As Islam makes no sharp division between secular and sacred affairs, it expects governments and scholars to be imbued with righteousness.

مُحَمَّدٌ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَزَقَّ بَيْنَ النَّاسِ

“The difference between Islam and *kufir* is the personality of Muhammad.”⁷⁷

The status of Rasul-Allah ﷺ has been stated in a various Quranic verses, if all these verses are to be read profoundly, there remains no doubt about the authenticity of Sunnah and obligation of obedience to Rasul-Allah ﷺ, and it is well established principle.

The Qur’an has discussed this issue under various titles on various occasions. According to the Qur’an obedience to Rasul-Allah ﷺ is basic component of Islam, if the unconditional obedience to Rasul-Allah ﷺ is removed, the Qur’an and Islam shall remain like orphan and destitute.

Kinds of Sunnah

Whatever is in the Qur’an and sans the Qur’an, it has different kinds according to the argumentation of Sunnah. It is obvious that whatever is sent down from Allah, no dispute is possible in that, and the Qur’an and Hadith both are from Allah. So it is impossible, that any correct Hadith which is proved from Rasul-Allah ﷺ will be opposed to Qur’an though dispute may be in apparent meaning, because in that case same thing will be meant from both. Some times it is due to inability of a *mujtahid* to find *tatbiq* (harmonization) between the Quranic verses and Hadith which causes the differences.

Sunnah has three types, as Imam Shafi‘i has discussed in his book *al Risalah* and the majority of ‘*ulama* has followed him, as has been narrated by Ibn al Qayyim in his *al Tariq al-Hikmiyah*:

First type: is that Sunnah which, like the Qur’an, denotes religious commandments, since according to brief and elucidation, and selection and expounding it happens to be familiar with the Book, and confirms the Qur’an. Allah says:

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَطِيعُوا الرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿٥٦﴾

“So establish regular *salah* and pay *zakah*; and obey al Rasul; that ye may receive mercy.”(al Nur24:56)

وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ الْعَالَمِينَ ﴿٩٧﴾

“*Hajj* thereto is a duty men owe to Allah, those who can afford the journey; but if any deny faith, Allah stands not in need of any of His creatures.”

(al ‘Imran 3:97)

Hadith denotes the same order:

بُيِّنَ الْإِسْلَامُ عَلَى خَمْسٍ عَلَى أَنْ يُعْبَدَ اللَّهُ وَيُكْفَرَ بِمَا دُونَهُ
وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَحَجَّ الْبَيْتِ وَصُومَ رَمَضَانَ ❊

“[The superstructure of] Islam is raised on five [pillars], i.e. the oneness of Allah, the establishment of *salah*, payment of *zakah*, the *sawm* of Ramadan, and *hajj*.”⁷⁸

Here Book and Sunnah, both mentions only the obligation of *hajj*, *zakah*, *sawm*, and *salah*, their schedule is not known.

Similarly Rasul-Allah ﷺ said:

لَا يَحِلُّ مَا لَفَرَى مُسْلِمٌ إِلَّا بِطَيْبٍ مِنْ نَفْسِهِ.

“Taking of wealth of any Muslim is allowed only by his permission.”

This Hadith is appropriate to the below mentioned verse:

وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ وَتَذَلُّوا بِهَا إِلَى
الْحُكَّامِ لِيَأْكُلُوا فَرِيقًا مِنْ أَمْوَالِ النَّاسِ بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ ﴿١٨٨﴾

“And do not eat up your property among yourselves for vanities, nor use it as bait for the judges, with intent that ye may eat up wrongfully and knowingly a little of [other] people's property.”

(al Baqarah 2:188)

Rasul-Allah ﷺ said:

١٨٤١ مَرْثَا أَبُو بَكْرٍ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا الْحُسَيْنُ بْنُ عَلِيٍّ عَنْ زَائِدَةَ عَنْ شَيْبٍ بْنِ عُرْفَةَ النَّبَاقِ عَنْ سَلَمَةَ بْنِ
عَمْرِو بْنِ الْأَخْوَمِيِّ حَدَّثَنَا أَبُو أَنَسٍ شَيْخُ حُجَّةِ الْوَدَاعِ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَخَمِدَ اللَّهُ وَأَنْتَ عَلَيْهِ
وَدَّكَرَ وَوَعَطَ ثُمَّ قَالَ اسْتَوْصُوا بِالنِّسَاءِ خَيْرًا فَإِنَّهُنَّ عِنْدَكُمْ عَوَانٌ لَيْسَ تَمْلِكُونَ مِنْهُنَّ شَيْئًا غَيْرَ ذَلِكَ إِلَّا أَنْ يَأْتِيَنَّ
بِقَاضِيَةٍ مُبَيَّنَةٍ فَإِنْ فَعَلْنَ فَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاضْرِبُوهُنَّ ضَرْبًا غَيْرَ مُتْرَحٍ فَإِنْ أَطَعَتْكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ
سَبِيلًا إِنَّ لَكُمْ مِنْ نِسَائِكُمْ خَفًّا وَلَيْسَ عَلَيْكُمْ خَفًّا فَأَمَّا خُفُّكُمْ عَلَى نِسَائِكُمْ فَلَا يَوْمَلْنَ فَرَسَكُمْ مَنْ
تَكْرَهُونَ وَلَا يَأْذَنَنَّ فِي نِسْوَتِكُمْ لِمَنْ تَكْرَهُونَ وَلَا وَخَفُّهُنَّ عَلَيْكُمْ أَنْ تُخْسِنُوا إِلَيْهِنَّ فِي كِسْوَتِهِنَّ وَمَعَاهِبِهِنَّ ❊

Sulaiman Ibn ‘Amr Ibn Ahawas is reported to have said, my father related to me that he was present at the last *haji* with Rasul-Allah ﷺ. He praised Allah and extolled Him, made a reminder and exhorted and then said, I enjoin upon you good treatment of women for they are captives in your charge. You do not possess anything of them besides it [the right of sexual intercourse], except that they commit some obvious sin, immorality. If they happen to commit it abandon them in their beds and beat them without hurting [them]. So, when they obey you, then do not seek excuses against them. You have a right over your women and your women enjoy a right over you. Your right over your wives is that they should not allow any one to enter your beds that you dislike and should not permit to enter your houses, which you dislike. Beware, and their right upon you is that you should treat them kindly in providing them garments and food.⁷⁹

It is appropriate to the verse:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا لَا يَحِلُّ لَكُمْ أَنْ تَرِثُوا النِّسَاءَ
كَرْهًا وَلَا تَعْضُلُوهُنَّ لِتَذْهَبُوا بِبَعْضِ مَا ءَاتَيْتُمُوهُنَّ إِلَّا أَنْ يَأْتِيَنَّ
بِفَحِشَةٍ مُبَيِّنَةٍ وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ فَإِنْ كَرِهْتُمُوهُنَّ فَعَسَى
أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا ﴿١٩﴾

O you who believe! You are forbidden to inherit women against their will. Nor should you treat them with harshness, that you may take away part of the dower you have given them, except where they have been guilty of open lewdness; on the contrary live with them on a footing of kindness and equity. If you take a dislike to them it may be that ye dislike a thing, and Allah brings about through it a great deal of good.

(al ‘Imran 3:19)

Second type: is that Sunnah which elucidates the meaning of Qur’an, as if it explains the brevity thereof or elucidates the difficult (subjects) or confines the absolute and specifies the common (issues) like those verses which explain and elucidate the following verses. Allah Almighty says:

أَجَلٌ لَكُمْ لَيْلَةُ الْعَصِيَامِ الرَّقْتُ إِلَى نِسَائِكُمْ هُنَّ لِبَاسٌ لَكُمْ وَأَنْتُمْ
لِبَاسٌ لَهُنَّ عَلِمَ اللَّهُ أَنَّكُمْ كُنْتُمْ تَخْتَلَوْنَ أَنْفُسَكُمْ فَتَابَ عَلَيْكُمْ وَعَقَا
عَنْكُمْ فَأَلْفَنَ بَدِشْرُوهُنَّ وَأَبْتَغُوا مَا كَتَبَ اللَّهُ لَكُمْ وَكُلُوا

وَأَشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ
مِنَ الْفَجْرِ ثُمَّ أَتُمُوا الصَّيَامَ إِلَى الْيَلِّ وَلَا تَبْشِرُوا هُنَّ
وَأَنْتُمْ عَاكِفُونَ فِي الْمَسْجِدِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَقْرُبُوهَا

Permitted to you, on the night of the *siyam*, is the approach to your wives. They are your garments and you are their garments. Allah knows what you used to do secretly among yourselves; but He turned to you and forgave you; so now associate with them, and seek what Allah has ordained for you, and eat and drink until the white thread of dawn appear to you distinct from its black thread; then complete your *siyam* till the night appears; but do not associate with your wives while ye are in retreat in the mosques. Those are limits [set by] Allah: approach not nigh thereto. Thus doth Allah make clear His Signs to men that, they may learn self-restraint.

(al Baqarah 2:187)

It is known by Hadith the white thread and dark thread means light of day and darkness of night.

Allah the Exalted says:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِنَ اللَّهِ
وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٣٨﴾

“As to the thief, male or female, cut off his or her hands: a punishment by way of example, from Allah, for their crime: and Allah is Exalted in Power. Full of Wisdom.”

(al Ma'idah 5:38)

Hadith described that hand in this verse means right hand i.e. right hand of thief should be cut off. The word ‘hand’ is confined to the word *yamin* [right] Allah Almighty says:

لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَئِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ
الْأَيْمَانَ فَكَفَّارَتُهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ
أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ
ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ
لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ ﴿٨١﴾

Allah will not call you to account for what is futile in your oaths, but He will call you to account for your

deliberate oaths: for expiation, feed ten indigent persons, on a scale of the average for the food of your families; or clothe them; or give a slave his freedom. If that is beyond your means, fast for three days. That is the expiation for the oaths you have sworn. But keep to your oaths. Thus does Allah make clear to you His Signs, that you may be grateful. (al Ma'idah 5:89)

Hadith stated about this verse that, *sawm* should be observed consecutively for three days because this word 'consecutive' is confined to the continuity and this word is common in the verse.

Allah the Exalted says:

الَّذِينَ آمَنُوا وَلَمْ يَلْبِسُوا إِيمَانَهُمْ بِظُلْمٍ أُولَٰئِكَ لَهُمُ الْأَمْنُ وَهُمْ مُهْتَدُونَ ﴿٨٢﴾

“It is those who believe and confuse not their beliefs with wrong, that are [truly] in security, for they are on [right] guidance.” (al An'am 6:82)

Hadith discusses that the word *zulm* (persecution) here means especially polytheism. Often *sunan* are of this kind and it is said because of this abundance that Sunnah explains and elucidates the Qur'an.

Third type: is that Sunnah which denotes such a commandment about which the Qur'an is silent and neither any order has been given about it, nor has it been opposed, like those Ahadith which indicate the dignity of angels of pleasure or those Ahadith which denote the un-lawfulness of marrying a woman's paternal and maternal aunt simultaneously, or those Ahadith which state the lawfulness of right of pre-emption and statement of inheritance of paternal grand mother, witnesses and decisions through oaths, stoning of married adulterer and atonement in case of breaking the *sawm* in Ramadan are stated. The Sunnah has a fourth kind also, and that is continuous Sunnah or solitary narration which according to majority of 'ulama revokes the [some] orders of the Qur'an. Like Hadith (لا وصية لوارث) revokes the verse:

كُتِبَ عَلَيْكُمُ إِذَا حَضَرَ أَحَدُكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرًا الْوَصِيَّةُ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ ۚ حَقًّا عَلَى الْمُتَّقِينَ ﴿١٨٠﴾

It is prescribed, when death approaches any of you, if he leaves any goods, that he makes a bequest to parents and next of kin, according to reasonable usage; this is due from the Allah-fearing. (al Baqarah 2:180)
And the Hadith:

٣١٩٩ ومروثا بن يحيى بن يحيى الشيباني أخبرنا همام عن منصور عن الحسن بن عطاء بن عبد الله الزقائري عن
عبد الله بن الصامت قال قال رسول الله صلى الله عليه وسلم خذوا عني خذوا عني قد جعل الله لهن سبيلا البكر
بالبكر جلد مائة ونفس سنة والنسيب بالنسيب جلد مائة والرجم

‘Ubada Ibn al Samit reported; Allah’s Rasul ﷺ saying; ‘receive [teaching] from me, receive [teaching] from me. Allah has ordained a way for those [women]. When unmarried male commits fornication with unmarried female [they should receive] one hundred lashes each and exile for one year. And in case of married male committing adultery with a married female they shall receive one hundred lashes and be stoned to death’.⁸⁰

Revokes the verse:

الرَّائِيَةُ وَالرَّائِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلَيَشْهَدَ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ ﴿٢٤﴾

The woman and the man guilty of adultery or fornication flog each of them with a hundred stripes: let not compassion move you in their case, in a matter prescribed by Allah, if you believe in Allah and the Last Day: and let a party of the Believers witness their punishment. (al Nur 24:2)

If the ruler will practice upon only on lashing them he practiced only on the Qur’an and opposed Sunnah. There are differences about this kind of Sunnah between the Hanfi school of thought and other schools of thought.⁸¹

Ibn al Qayyim has clarified it in *I’lam al Muwaqqi’in* and held a long discussion on it.⁸² His aim from this discussion is to say that in some *masalik* (schools of thought) Sunnah has fourth kind i.e. such a Sunnah which points out over such a commandment which is against Qur’an and we have mentioned above that Sunnah can never oppose the Qur’an thus, this saying is out of reason and hardly any Muslim can accept such a thing.⁸³

Sometimes differences occur in revocation and specification, like it is true that solitary narration neither can quash the Book nor *mutwatir* Sunnah; however it can specify both. If this excess will be by solitary narration, Hanbli scholars say that it will specify the common, if this excess contradicts with common, then there will be no impact on the authenticity of Hadith and this Hadith will be considered as authentic Hadith. On the other hand, Hanfi scholars say that excess can not

specify the Book and continuous Sunnah because that is consecutive and it also can not revoke it because that is solitary narration. In this way, it can not put any impact on the commandments of the Qur'an in any condition. It is actually against the Book and due to this its authenticity is suspected and by this lying is slapped upon Rasul-Allah ﷺ (Allah forbid) and Rasul-Allah ﷺ is infallible to tell lie, therefore Sunnah can never oppose the Book (Qur'an).⁸⁴

Permanent legal status of Sunnah

As a matter of fact, permanent legal status of Sunnah is lawful and it has been proved by various evidences.

First is that, had it not been lawful, Allah would not have ordered us to practise upon permanent Sunnah but it has been ordered. Similarly, in *Shari'ah* of Musa and Ibrahim, it happened and Allah, the Exalted has mentioned this thing in His Book. Musa asked Fir'awn to embrace the faith and asked him to let the *Banu Isra'il* accompany him whilst, *Torah* was not revealed until that time and it is not possible to refer this incident towards *Torah* but in spite of this the argument rose against him and when he did not accept the invitation of Musa, he became the disobedient of Allah.

So far as the permanent status of Sunnah in *Shari'ah* of Ibrahim is concerned, it is obvious that Allah Almighty had ordered him through revelation, to sacrifice his son, both, he and his son performed the order and it is because of this obedience that Allah Almighty described the attribute of gratitude in their favour. It is impossible to include this type of order in the commandments of his *Sahifah*. Because, in essence the aim of this event was mere examination and trial, as Allah the Exalted says:

وَنَدَّيْنَاهُ أَنْ يَأْتِ بِزَاهِمٍ ۖ قَدْ صَدَّقْتَ الرُّءْيَا إِنَّا كَذَبُكَ تَجْرِي
الْمُحْسِنِينَ ۖ إِنَّ هَذَا لَهُوَ الْبَاقِ وَالْمُحْسِنِينَ ۖ وَقَدَّيْنَاهُ
بِذَبْحٍ عَظِيمٍ

“We called out to him, O Ibrahim! You have already fulfilled the vision! Thus indeed do We reward those who do right. For this was obviously a trial, and We ransomed him with a momentous sacrifice.”

(al Saffat 37:104-107)

There is no difference between Muhammad ﷺ and other *Anbiya'* as for as their *Nubbuwah* is concerned, because every one of them possessed the revelation recited or un-recited.

Second aspect is that, it is neither criterion nor necessary that every *Nabiyy* should get recited book, Allah the Exalted can command His *Anbiya/Rusul* through un-recited revelation also, as is obvious from the definition of the some

scholars regarding the difference between *Rasul* and *Nabiyy*, according to them *Rasul* means one who receives both kinds of revelation, recited (the Book) and un-recited (Hadith) while *Nabiyy* possesses only second type of revelation but as far as their responsibility is concerned there exists no difference, both have to guide mankind to will of Allah. Allah the Exalted says:

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ مِنْ رَسُولٍ إِلَّا نُوحِيَ إِلَيْهِ أَنَّهُ لَا إِلَهَ إِلَّا
 أَنَا فَاعْبُدُونِ ﴿٢٥﴾

“Not a Rasul did We send before you without this
 inspiration sent by Us to him: that there is no Allah but I;
 therefore worship and serve Me.” (al Anbiya 21: 25)

Indeed, al-Rasul was infallible and sacred from every kind of mistake and error in recognizing any order or news revealed through recited revelation or un-recited revelation. Whether revelation (*wahy*) is permanent, explicit or emphasized even if whole of the *Shari'ah* would have revealed in shape of un-recited *wahy*, as he was infallible and sacred from errors and mistakes it would have been *hujjah* (proof) thus, it is obvious proof (*hujjah*) against those who deny authority of the Sunnah. Doubtlessly, Sunnah is *wahy*; therefore it is nothing but truth, so it's being permanent, is authentic. Along with Sunnah, second type of *wahy* is equal to Sunnah in argument and being revealed by Allah. The existence of second type of *wahy* can not snatch the appropriate permanent status of Sunnah. Though, this second type of *wahy* is distinguished from un-recited *wahy* in some respects. But its argument is not dependent upon these distinguishes. It does not mean that only Qur'an is permanent authority, therefore, what is the hindrance in giving the permanent legal status to Sunnah?⁸⁵

Thirdly, if the permanent religious status of Sunnah is not permissible then explanation and stress of commandments in the Qur'an by Sunnah is also unlawful, because stress is branch of basement of capacity and expounding of commandments which is elucidated is a kind of permanent status in elucidations, because the thing which is considered as obstacle, will be also considered obstacle in elucidation and obstacle happens to be the interruption due to the disorder and disorder in both (stress and expounding) will be a reason for entrusted one in understanding the order given to him by Allah and not practising the deed in a correct way.

Abu Bakr and authority of Sunnah

In *Tabqat Ibn Sa'd*, Ibn Sa'd narrated about Abu Bakr Sidiq that:

ان ابابكر اذا نزلت به قضيه لم يجد لها في كتاب الله اصلاً ولا في السنه اثر فقال
اجتهد برأى فان يكن صواباً فمن الله وان يكن خطافمئى واستغفر الله

It was the principle of Abi Bakr that, whenever he confronted any contentious situation about which he neither found any solution in the Book of Allah, nor found any impression in Sunnah, he used to say, now I will exert my diligence, if this diligent reason will happened to be correct, then it is by the will of Allah and if it will happen to be wrong, then it is from mine and I seek the forgiveness of Allah (regarding the mistake).⁸⁶

According to Muhammad Ibn Sirin, It is clear by this statement that whenever Abu Bakr used to confront any issue, he first of all, was searching for its solution in the Qur'an and (in case he could not find it in the Qur'an) then turned his heed towards Sunnah of Rasul-Allah ﷺ. Had he not considered the Sunnah as an authority, why he would have consulted it? When Abu Bakr was unaware about the issue of inheritance of grandmother he announced that I do not find any thing about it in the Qur'an. O! People if Rasul-Allah ﷺ has given any decision about this matter and any one knows it then (come forward) and guide me, Mugiarah conveyed him the decision of Rasul-Allah ﷺ about the said matter and Muhammad Ibn Musallama attested him, Abu Bakr, passed the decision according to the Sunnah of Rasul-Allah ﷺ.

‘Umar Faruq and authority of Sunnah

When Abu Musa was appointed governor of Kufah by ‘Umar, at that time, he (Abu Musa) said to the people of Kufah:

بعثنى اليكم عمر بن الخطاب اعلمكم كتاب ربكم وسنه نبيكم

“Umar Ibn al Khattab send me towards you, I will teach you the Book of your Rabb (i.e. Qur'an) and the Sunnah of your Nabiyy.”⁸⁷

The word ‘Sunnah’ which is present after the Book (Qur'an) is the clear proof that ‘Umar Faruq wanted to see the people embellished with Sunnah along with the Qur'an. If he were not considering the Sunnah as an authority why he would felt the need of adorning people with the Sunnah?.

‘Uthman and authority of Sunnah

‘Uthman while addressing the people on the pulpit said:

عن ابى صالح مولى عثمان بن عفان قال سمعت عثمان يقول! ايها الناس
انى كتمتكم حديثاً سمعته عن رسول الله ﷺ كراعيه تفرقكم عنى

It is narrated from ‘Uthman’s slave Abi Salih that he was saying that, I heard ‘Uthman saying. O! People, I have been concealing the Hadith, which I had heard from Rasul-Allah ﷺ as it would have departed you from me. Then he said:⁸⁸

ثم بدالى ان احد تكمونه ليختار امرا لنفسه ما بداله سمعت رسول الله ﷺ
يقول رباط يوم في سبيل الله خير من الف يوم فيما سواه من المنازل

Then I felt that I will convey it to you and after listening [this Hadith] whosoever wishes to choose either of the way, I heard from the Rasul-Allah ﷺ that *ribat* for a day in the way of Allah is better than staying 1000 days in other places.

Two things are clear by these narrations, first is that when ‘Uthman became aware about the desire of Rasul-Allah ﷺ, he was deeming enactment of ordinance of Rasul-Allah ﷺ as fortune instead of his own view. Second thing is that, ‘Uthman not only was considering the Sunnah as authoritative and worthy to follow but was thinking same about others as soon as they know the order of Rasul-Allah ﷺ they will immediately practice upon it because the statement of Rasul-Allah ﷺ is worthy to follow and obedience to Rasul-Allah ﷺ is actually the obedience to Allah.

‘Aliyy and authority of Sunnah

Some people thought in the period of ‘Aliyy that Rasul-Allah ﷺ has told him some special testimonies and began to show extraordinary eagerness and curiosity to know about them, and were talking about it. It is obvious that they wanted to know about them only to acquire the fortune of this world and Hereafter by practising upon them. Eventually, ‘Aliyy, one day addressed the people and said:

ما عهد الى رسول الله ﷺ شيئا خاصه دون الناس الا شي سمعته منه فهو في صحيفه في قراب سيني

“Rasul-Allah ﷺ did not say anything extraordinary to me other than common people except a few things, which I have heard from him and I have written them on the paper which I have kept it in scabbard of my sword.”

The narrator later states that:

فلم يز الوبه حتى اخرج الصحيفه

“People insisted over the demonstration of this paper till he took it out of the sheath.”⁸⁹

Many facts become manifested by this incident, First is that there is no base for this objection by Orientalists and those who deny the authenticity of Hadith that, Hadith were compiled and written only after three centuries, whilst it is totally baseless we will elucidate it in chapter No.2. Second thing is that, ‘Aliyy preserved the Ahadith only so that they will be practised upon. Thirdly, *Sahabah* seems to be always desirous for the Ahadith so that they will practice upon them. It is why, they insisted over the display of those sayings. All these facts are a clear proof that not only rightly guided *khulfah*’ but all the *Sahabah* were considering the Sunnah as an authority and proof, they had been eager to know about them and after knowing them, by practising upon them they were practically preserving the sayings of the Rasul-Allah.

Proof of authority of Sunnah or evidence of permanent status of Sunnah

Permanent Sunnah is an authority (*hujjah*) and adopting and practising upon it, has been ordered by Allah Almighty. It has many evidences and proofs.

First proof is that Rasul-Allah ﷺ is impeccable in conveying the message of Allah and it includes those talks, too, whose order is mentioned in Sunnah, and about which the Book (i.e. The Qur’an) is silent. According to the command of Allah Almighty whosoever receives this message should practice upon this.

Second evidence is that there are such verses in the Qur’an which point out the authenticity of Sunnah. Their authenticity is proved by the commonness. Whether they are such *sunan* which emphasis the Quranic verses or are permanent, there is abundance of such verses, which gives the benefit of absoluteness for three kinds of Sunnah due to its commonness, and which has no conjecture of specification that the permanent Sunnah is expelled from those three kinds, however, Allah the Exalted says:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ
بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ
وَيُسَلِّمُوا تَسْلِيمًا ﴿١٥﴾

“But no, by your Rabb, they can have no [real] Faith, until they make you judge in all disputes between them, and find in their souls no resistance against your decisions, but accept them with the fullest conviction.”

(al Nisa 4:65)

It proves the authority of the Sunnah unambiguously. Allah Almighty says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى
الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ
كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

O you who believe Obey Allah, and obey al Rasul, and those charged with authority among you. If ye differ in anything among yourselves, refer it to Allah and al Rasul, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.

(al Nisa 4:59)

Obedience to Rasul-Allah ﷺ is that, of which Rasul-Allah ﷺ ordered and abstained, which is not mentioned in the Qur'an, should be obeyed. Obedience to Rasul-Allah ﷺ means to give heed to all his sayings whether it has the status of statement (expounding and explanation) and stress or permanent above mentioned verses are based upon all those kinds. Utmost, we can say at first sight, the inclusion of his permanent and individual obedience in obedience to Rasul-Allah ﷺ is more explicit because his permanent obedience by leaving aside the expounding, explanation and statement proves his individuality for ditto is meant from expounding and explanation therefore practice over expounding and explanation is same as the practice over which is being elucidated. Explanation and elucidation is expelled from this individuality, similarly is expelled the obligatory status of Sunnah.

Third evidence is that, it is proved from various Ahadith that Sunnah, whether it is compulsory, explicit or permanent, is authority and some Ahadith are specified with Sunnah or at least in prima-facie are included in Sunnah and it is better to include Sunnah in them than to include other things like:

٢٥٨٧ هـ رَوَاهُ فَتْيَةُ حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ وَسَالِمِ بْنِ أَبِي النَّضْرِ عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي رَافِعٍ عَنْ أَبِي رَافِعٍ وَغَيْرِهِ رَفَعَهُ قَالَ لَا أَلْفِينِ أَخَذَكُمْ مِنْكُمْ عَلَى أَرْبَعِيهِ يَأْتِيهِ أَمْرٌ مِمَّا أَمَرْتُ بِهِ أَوْ نَهَيْتُ عَنْهُ فَيَقُولُ لَا أَدْرِي مَا وَجَدْنَا فِي كِتَابِ اللَّهِ اتَّبَعْنَا ﴿٢٥٨٧﴾

And you will not find the person reclined on his pillow to whom my order reached which I have ordered or I refrained from any thing and after reaching that abstinence he would say: we will obey only what we will find in the Book [the Qur'an].⁹⁰

٣٩٨٨ حدثنا عبد الوهاب بن نَجْدَةَ حَدَّثَنَا أَبُو عَمْرٍو بْنُ كَيْسٍ بْنُ دِينَارٍ عَنْ خَرِيزِ بْنِ عُثْمَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَوْفٍ عَنِ الْيَقْدَامِ بْنِ مَعْوَى كَرِبَ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ لَا إِنْسَ أَوْثِيَتْ الْكِتَابَ وَمِثْلُهُ مَعَهُ إِلَّا يُوشِكُ رَجُلٌ شَيْعَانٌ عَلَى أَرِيكَتَيْهِ يَقُولُ عَلَيْكُمْ بِهَذَا الْفُرْآنِ فَمَا وَجَدْتُمْ فِيهِ مِنْ خِلَالٍ فَأَجِلُوهُ وَمَا وَجَدْتُمْ فِيهِ مِنْ حَرَامٍ فَخَرِّمُوهُ إِلَّا لَا يَجِلُ لَكُمْ لَحْمُ الْجِمَارِ الْأَهْلِيَّةِ وَلَا كُلُّ ذِي نَابٍ مِنَ السَّبْعِ وَلَا لُقْطَةُ مُعَاهِدٍ إِلَّا أَنْ يَسْتَشْفِيَ عَنْهَا صَاحِبُهَا وَمَنْ نَزَلَ بِقَوْمٍ فَاعْلَيْهِمْ أَنْ يَقْرَؤَهُ فَإِنْ لَمْ يَقْرَؤَهُ فَلَهُ أَنْ يُعَقِّبَهُمْ بِمِثْلِ فِرَاهِ ﴿٩١﴾

Rasul Allah said: Listen carefully I have been given the Book and along with it a thing like it [i.e. implied revelation]. Listen carefully! Soon a glut toned person will say reclining on his pillow: only the obedience of Qur'an is a must for you. Whatever you find lawful in it, take that as lawful and whatever you find unlawful in it, take that as unlawful. (Indeed, whatever Rasul-Allah ﷺ made it unlawful) is as Allah made unlawful. Beware! Pet donkeys are not lawful to you neither the animals with pointed teeth and not the founding of any *dhimi* is lawful for you, but its owner is carefree about that. The one who is staying at any place, it is duty of the inhabitants to hospitalize him and same is incumbent for the said guest to hospitalize the same hosts when they give visit to him, as they had hospitalized him.⁹¹

It is not hidden that the unlawfulness of donkey and other mentioned things is not mentioned in the Qur'an. It is specified with what is being mentioned, i.e. Sunnah and 'like the Book' apparently means those things which are self permanent and if another thing is included in it, there is no problem in that, the Qur'an has proved that all this is from Allah. Another Hadith states that every thing which is not in the Qur'an, whose order Rasul-Allah ﷺ has enjoined or forbade its abjuring is condemned. Fourth evidence is that whole *ummah* is unanimous over the authority and obligation of practising on this type of Sunnah. Its elucidation is that Muslims are agreed upon such individual commandments which are only proved by this kind of Sunnah (permanent Sunnah). The consensus over their practising and relying is necessitating to consensus of authority thereof. Of these commandments, one commandment is that paternal or maternal grand mother shall receive the share in inheritance and this share will be sixth (of whole inheritance), there is a consensus of *ummah* it. It is proved from permanent Sunnah and is not found in Book of Allah (i.e. Qur'an). Among those commandments are legal justifications of pre-emption and *musaqat* unlawfulness of marrying a woman and her paternal aunt simultaneously and about the

unlawfulness of pet donkeys, Ibn ‘Abd al Bir has mentioned that later ‘*ulama* have established the consensus over these issues.

Evidences of authority of Sunnah

Evidences of authority of Sunnah are seven:

1. Impeccability of Rasul-Allah.
2. Companion’s adherence to the Sunnah.
3. The Qur’an.
4. Sunnah of Rasul-Allah.
5. Impossibility of practising upon the Qur’an without Sunnah.
6. Sunnah has two kinds: revelation (*wahy*) and like the revelation.
7. *Ijma’* (consensus).⁹²

First evidence: Impeccability of Rasul-Allah

There is absolute consensus among the *ummah* that Rasul-Allah ﷺ is impeccable to say any thing which can cause obstacles in preaching and according to authentic narrations he is infallible to commit any error or mistake in religious issues. And those who believe that such an error is possible they too put the condition that in case of error or fault, he was admonished by Allah, the Exalted, and he was not let to remain on that error or mistake.

It becomes incumbent that every Hadith pertaining to preaching issues, after Allah Almighty has set up Rasul-Allah ﷺ on that and did not reprimand him, is authentic and unanimously *hujjah*, therefore, to adopt it is at least permissible.

Since it proves the authority of Rasul-Allah’s ﷺ saying about the Qur’an ‘it is word of Allah’ and Hadith *qudsi* of Rasul-Allah ﷺ that Allah, the Exalted has said like this’ proves the authority of words like it. Similarly the authority of following Hadith is also proved.

Narrated by Miqdam that, Rasul-Allah ﷺ said:
Listen carefully! I have been given the Book (Qur’an)
and the thing like it. Beware! Soon a gluttoned person
reeling on his pillow would say: Hold the Qur’an firmly.

Whatever you find lawful in it, take that as lawful and whatever you find unlawful in it, take that as unlawful and whatever Rasul-Allah ﷺ made unlawful is same as Allah made unlawful. This Hadith is narrated by Abu Dawud and Tirmidhi.⁹⁴

٣٩٨٨ مَرْثَا عَبْدُ الْوَهَّابِ بْنِ نَجْدَةَ حَدَّثَنَا أَبُو عَمْرٍو بْنُ كَيْسٍ عَنْ دِيثَارِ بْنِ حَرِيمٍ عَنْ عُثْمَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَوْفٍ عَنِ الْمِقْدَامِ بْنِ مَعْدَى كَرِبَ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ لَا إِلَهَ إِلَّا أَنَا أَوْيَيْتُ الْكِتَابَ وَمِثْلَهُ مَعَهُ إِلَّا يُؤْيِيكَ رَجُلٌ شَيْعَانٌ عَلَى أَرْبَعِيهِ يَقُولُ عَلَيْكُمْ بِهَذَا الْفِرَاقِ فَمَا وَجَدْتُمْ فِيهِ مِنْ خِلَالٍ فَأَجْلُوهُ وَمَا وَجَدْتُمْ فِيهِ مِنْ خِلَافٍ فَخَرِّمُوهُ إِلَّا لَا تَجِلْ لَكُمْ لَحْمُ الْجَمَارِ الْأَعْلَى وَلَا كُلْ ذِي نَابٍ مِنَ الشَّيْخِ وَلَا لِقَظَةً مُعَاهِدٍ إِلَّا أَنْ يَسْتَفْهِنَ عَنْهَا حَاجِبُهَا وَمَنْ نَزَلَ بِقَوْمٍ فَلَيْتَهُمْ أَنْ يَفْرُوهُ فَإِنْ لَمْ يَفْرُوهُ فَلَهُ أَنْ يُعَقِّبَهُمْ بِمِثْلِ قِرَافَةٍ ❀

Abu Hudhaifah narrated that Rasul-Allah ﷺ said:

He is Jibril, the envoy of Rabb of all worlds; He has revealed unto my heart that none shall receive the death until he will acquire the entire livelihood. Whether he will possess it howsoever delay, so fear Allah, adopt the moderate way in searching the livelihood and let not the delay of possessing livelihood motivate you to acquire the livelihood by the disobedience to Allah because whatever is in [the hands of] Allah can only be obtained by the obedience.⁹⁵

٢١٣٥ مَرْثَا مُحَمَّدُ بْنُ الْمُصَفَّى الْجَمْعِيُّ حَدَّثَنَا الْوَلِيدُ بْنُ مُسْلِمٍ عَنْ ابْنِ جُرَيْجٍ عَنْ أَبِي الزُّبَيْرِ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَيُّهَا النَّاسُ اتَّقُوا اللَّهَ وَأَجْمِلُوا فِي الطَّلَبِ فَإِنَّ نَفْسًا لَنْ تَمُوتَ حَتَّى تَسْتَوْفِيَ رِزْقَهَا وَإِنْ أَبْطَأَ عَنْهَا فَاتَّقُوا اللَّهَ وَأَجْمِلُوا فِي الطَّلَبِ خُذُوا مَا خَلَّ وَدَعُوا مَا حَزَمَ ❀

These Ahadith are by him, who is impeccable from lying, so they become such evidences which relate that *wahy* is of two types. One Divine Book (i.e. the Qur'an) whose words are miraculous and whose recitation has been ordered. Second type is also divided into two kind's one Ahadith *qudsi* whose words are revealed by Allah. Second is Hadith *Nabawi* it is such a Hadith whose meaning is revealed by Allah and Rasul-Allah ﷺ interpreted it by his own words. When all these things are by Allah, so they are all evidences which will remain *hujjah* for mankind till doomsday.

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى ❀

“Actions are dependent on intentions, and every person will get reward according to what he has intended.”⁹⁶

الْبَيِّنَةُ عَلَى الْمُدَّعِيِ وَالْيَمِينُ عَلَى الْمُدَّعَى عَلَيْهِ ❀

“Burden of proof is on claimant oath is on one who is denying.”⁹⁷

بُنِيَ الْإِسْلَامُ عَلَى خَمْسٍ

“Islam’s foundations rest on five [things].”⁹⁸

The authority of these Ahadith is proved by such an esteemed personality who is immaculate and impeccable.

It also proves the authority of Ahadith such as follows:

يَا أَيُّهَا النَّاسُ إِنِّي مَا أَمَرَكُمْ إِلَّا مَا أَمَرَكَ بِهِ اللَّهُ وَلَا نَهَاكُمْ إِلَّا عَمَّا نَهَاكُمْ عَنْهُ

“O! People, I only enjoin you what Allah has ordered you and I refrain you from what Allah has refrained you.”⁹⁹

The evidence of Hadith narrated by Miqdam, which we have mentioned before is also proved by this:

إِنِّي مَا أَمَرَكُمْ إِلَّا مَا أَمَرَكَ بِهِ اللَّهُ

‘And whatever Rasul-Allah ﷺ made unlawful is same as Allah made unlawful’. This Hadith and those which are like it are from such a venerable personality who is immaculate and impeccable. Therefore, it reveals us that he (Rasul-Allah ﷺ) ordered only those things which have been ordered by Allah for us and abstained from those things, from which Allah has refrain us, and due to this the authenticity of his all enjoying and forbidding becomes incumbent. It proves the authenticity of his utterances such as follows:

صَلُّوا كَمَا رَأَيْتُمُونِي أَصَلِّي

“Offer *salah* as you see me offering *salah*.”¹⁰⁰

When the authenticity of this Hadith is proved, all those deeds of Rasul-Allah ﷺ, by which *salah* is elucidated, are also proved.

Same thing can be said about such sayings of Rasul-Allah ﷺ which is mentioned as follows:

خُذُوا عَنِّي مَنَاسِكَكُمْ

“Learn [take] the rituals of *hajj* from me.”¹⁰¹

It proves the authenticity of command of Rasul-Allah ﷺ and the deeds of Rasul-Allah ﷺ pertaining to *hajj* are also proved by above mentioned way.

Moreover, it proves the authority of such command of Rasul-Allah ﷺ which is mentioned in the Hadith narrated by Abu Dawud that ‘Irbad Ibn Sariyah reported

that Rasul-Allah said: I bequeath to you the fear of Allah, obedience and listening of order of *amir* whether he may be a Abyssinian slave, who shall survive among you see a lot of dissensions, obedience (and following) of my Sunnah and adherence of rightly guided *khulfah*'' is necessary for you at that time, hold them firmly and grit them by the molar teeth and beware of novel deeds, for every novel deed is innovation and every innovation is astray, and every astray leads to the Hell.

When the authority of adopting Sunnah and on the command of Rasul-Allah to practise upon it is proved therefore, it proves the authority of all kinds of Sunnah i.e. sayings, deeds and approvals.¹⁰²

The infallibility of Rasul-Allah ﷺ from committing errors in preaching, upon which all *'ulama* are unanimous, is not only confined to the infallible from lying in preaching. As the preaching of Divine commandments is done by sayings, likewise is done by deeds and tacit approvals and enjoining and forbidding and every thing like this are including in preaching. Those obstructing things which are not related with the sayings, this fact becomes incumbent by the infallibility of Rasul-Allah ﷺ that besides the sayings, his actions, tacit approvals, enjoining and forbidding which are connected with preaching, are directly proofs (or evidences). There is no need to make his preaching as medium for their authenticity.

If Rasul-Allah ﷺ performs any action which is not of the preaching like his taking of meals of any kind and drinks or beverages, or testifying any deed or saying anything like discussing any worldly issue and Divine speech is also included in it (i.e. Allah, the Exalted, set up him on that saying or deed and did not reprimand over it), then we will believe that, every thing committed by him, at least is not sin or disobedience.

By those deeds of Rasul-Allah ﷺ from which preaching is not aimed (like the natural deeds, of Rasul-Allah) we do not say that such deeds too are obligatory but what we want to clear is that these deeds carry lawfulness and permissibility.

There are differences among the scholars whether Rasul-Allah ﷺ was allowed to exert *ijtihad* or not, those who believe that Rasul-Allah ﷺ can commit mistake, says that Rasul-Allah ﷺ was not let to remain on mistake, but was admonished immediately by Allah and correct thing was explained to him.

If at any time Rasul-Allah ﷺ committed the diligent order and it got *taqriri* approval from Allah (i.e. he was let to be established over that and was not reprimanded), then, doubtlessly, the order will be unanimously authority (or proof).

Second evidence: Companions adherence to the Sunnah

Sahabah hold firmly the Sunnah in the period of Rasul-Allah and got favour of Allah for their steadfastness on the Sunnah. It is proved by the Ahadith that Rasul-Allah had been inciting his *ummah* upon holding the Sunnah very firmly and had been frightening them from its abjuring. *Sahabah* used to fulfill all the commandments of Rasul-Allah and used to follow him, they were following all the sayings, and deeds of Rasul-Allah, and they believed that whatever is committed by Rasul-Allah is authority (or proof) and conformation thereof, is incumbent.

However, if he was committing *ijtihad* in worldly affairs, he was consulting the *Sahabah* in that matter likewise; if he (if we presume it) was committing *ijtihad* in any religious affair it is possible that during *ijtihad* *Sahabah* might have discussed the issue with him.

Similarly, if the revealed commandments happened to be unfamiliar to their reason and understanding, they would refer it towards Rasul-Allah to know its cause and wisdom not for the reason that they did not believe in it for not being truth. Likewise, sometimes, they did not follow his action, on the account, that the action may be permissible only for him and if Rasul-Allah would order them anything and was not practising it himself, *Sahabah*, too were not committing the same deed, by thinking that this order might be for expressing permissibility and permission, that which is not ordered is better, because Rasul-Allah did not commit it by himself which he had ordered. It would never be reason of *Sahabah* not imitating his actions or thinking his obedience is not obligatory and they were at liberty to neglect them, their submissive behaviour towards the Sunnah nullifies this. It is known that *Sahabah* were more able to extract the commandments from the Qur'an by their *ijtihad*, in spite of this they were not enquiring those new events which confronted them, from the Qur'an by relying over their skill and reason, but as much as they were able to know them from Rasul-Allah, they used to refer all new occurring events to Rasul-Allah.

If any *Sahabi* remained away from him and confronted any incident, first of all, he used to search its solution in the Book of Allah (i.e. the Qur'an) if he failed to find in it, he used to see it in Sunnah and if he

failed to find in it too, then he used to rely on his *ijtihad* and when he would meet Rasul-Allah he used to present before him the said issue. If he were correct in his *ijtihad*, Rasul-Allah would give tacit approval on that, and, if he were wrong in it, then Rasul-Allah would elucidate the reason of mistake and would taught him the correct way of event and accordingly that *Sahabi* would rectify his mistake and adopt the command of Rasul-Allah.

This attitude was from Rasul-Allah and *Sahabah*; Allah Almighty let them on this *modus vivendi* and did not mention that they had committed any mistake. Despite the fact, it was period of revelation (*wahy*). Had they been on wrong foot as for as their approach is concerned Allah would have not allowed them to remain on it. It is the clear proof (*hujjah*) of Sunnah.

Their attitude was in respect of the fact that Allah had ordered them to remain obedient to Rasul-Allah and had frightening them not to oppose and disobey Rasul-Allah.¹⁰³

١٧٥٤ حدثنا أبو نعيم حدثنا سفيان عن عبيد الله بن دينار عن ابن عمر رضي الله عنهما قال اتخذ النبي صلى الله عليه وسلم خاتماً من ذهب فأتى الناس خواتيم من ذهب فقال النبي صلى الله عليه وسلم إني اتخذت خاتماً من ذهب فنبذته وقال إني لن ألبسه أبداً فنبذ الناس خواتيمهم ❁

‘Abd al Allah Ibn ‘Umar, has narrated that, once al-Nabiyy ﷺ made a golden ring, people, too [began to] make golden rings, thereupon, al-Nab iyy ﷺ said, I had made a golden ring, then he threw that away and said that, I will never wear it, since then people too put off their rings and threw them away.¹⁰⁴

Abu Dawud and Ibn ‘Abd al Birr has narrated from ‘Abd al Allah Ibn Rawah that he heard the Rasul-Allah ﷺ saying, sit down, he at once sat on the way. After some time, Rasul-Allah ﷺ passed by that way asked him, what is the matter (why are you sitting here), he replied, that I heard you saying sit down so I sat down, Rasul-Allah ﷺ said, ‘may Allah grant you more (passion of) obedience’.

Ibn ‘Abd al Birr has narrated from Mu‘adh Ibn Jabal, he (Mu‘adh) said, when Rasul-Allah ﷺ sent me towards Yemen, he said, if you face any matter, how will you make decision? Mu‘adh replied: I will decide by the Book of Allah, Rasul-Allah ﷺ asked if you will not find it in that? Mu‘adh answered, I will decide the matter according to Sunnah of Rasul-Allah ﷺ, Rasul-Allah ﷺ asked, if

you will not find it in that too? He responded that I will exert my opinion (*ra'i*) and will not leave any corner, narrator says that Rasul-Allah ﷺ gave a punch on his chest and said 'All praise to Allah who granted such thing to the envoy of Rasul-Allah ﷺ which Rasul-Allah ﷺ likes'. This narration is mentioned, with different words by Ibn Sa'd in *Tabaqat*¹⁰⁶ and Ahmad, Abu Dawud, Tirmidhi, Darimi and Baihaqi has narrated it in *Madkhal*.

Abu Ya'la⁸⁷, Mausili and Baihaqi have narrated from 'Umar Ibn al Khattab in *Madkhal* that he said: O! People, slander your opinion instead slandering your creed. I still remember the movement, when I had rejected the order of Rasul-Allah ﷺ, on the day of Abu Jindal (on the eve of Hudaibiyah pact) on the basis of my personal diligence. By Allah I left no stone unturned in saying the truth, at that time pact was written between Rasul-Allah and people of Makkah. Rasul Allah ﷺ said write (بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ) 'in the name of Allah, the most Beneficent and Merciful'. They said: do you think that whatever you say we have attested that? (i.e. do you think that we have believed in you?). Don't write it and instead of it write what you used to write earlier i.e., (بِاسْمِكَ اللَّهُمَّ) 'in the name of you O: Allah'. Rasul-Allah ﷺ became reconciled but I refused to accept their demand even Rasul-Allah ﷺ told me: you see, I have become reconciled, even then you deny? Hence, I reconciled.

Imam Ahmad and Imam Bukhari have narrated the event of Hudaibiyah like this: 'Umar Ibn al Khattab said, I appeared before Rasul-Allah ﷺ and asked him, Are you not true Rasul of Allah? Why not? I again questioned: Are we not on the right (path) and our foes on false (path)? Rasul-Allah replied, why not? I asked, then why do we agree in subservience in the matter of our religion? Rasul-Allah replied, I am Rasul of Allah, I will not disobey Him and He is my helper. I asked, were you not saying to us that soon we will visit the Makkah and circumambulate Ka'ba? Rasul-Allah said, why not? Did I tell you that you will visit it in this year? I said: no, he said I still say you will visit and circumambulate it. Then I went to Abu Bakr Sidiq and said to him. O! Abu Bakar, is he not the true Rasul of Allah? He said why not? Are we not on the right (path) and our foes on false (path)? He said why not? I said, then why do we reconcile in the matter of our creed by being mortified? He said, O! Man, he is doubtlessly the Rasul of Allah, he will not disobey Allah. Allah is his helper you hold his conveyance firmly (i.e. by following him), by Allah he is on right (path). I said, had he not been saying to us that soon we will visit and circumambulate the Ka'ba, he said: why not, but had he told us that you will visit in this year? I said no. He said indeed you will visit and circumambulate it. I said: no he (again) said: you will visit and circumambulate it. 'Umar says henceforth that I did a lot of deeds for

compensation of that misbehave.

After that when the pact had been written, Rasul-Allah ﷺ ordered the *Sahabah* to stand up! Make slaughter and tonsure your heads. But by Allah, none of them stood even he repeated this order thrice. When nobody responded Rasul-Allah went to Umm Salmah and whatever condition of people he had witnessed stated to her. Umm Salmah replied, O! Rasul of Allah, do you like it? Then go and don't say a word to any body, slaughter your camel and call the barber who will tonsure you. Since, he came out and did not talk to any body till he did all the tasks, slaughtered the camel called the barber who tonsured him. When people saw this, they all stood up and began to slaughter (their camels) and began to tonsure one another. It seemed that due to worry they will kill each other.¹⁰⁷ It is mentioned in *Fath al Bari* that *Sahabah* delayed in acting upon the command of Rasul-Allah ﷺ because they hoped that he will permit them for battle and that Allah will help him, in this way being victorious, they will accomplish the 'umrah.

٧٩٠ مَرْثَا نَصْرُ مَنْ عَلَى الْجَهَنَّمِ حَدَّثَنَا بِشْرُ بْنُ الْمُفَضَّلِ وَخَالِدُ بْنُ الْحَارِثِ عَنْ سَعِيدٍ عَنْ قَتَادَةَ عَنْ أَنَسٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ لَا تَوَاصِلُوا قَالُوا فَإِنَّكَ تَوَاصِلُ يَا رَسُولَ اللَّهِ قَالَ إِنْ لَمْ تَكُنْ كَأَخِيكُمْ إِنْ رُبَّمَا يُطْعِمُنِي وَيَسْقِيُنِي

It is narrated from Abu Hurairah that he said: Rasul-Allah ﷺ said, don't keep *sawm* continuously (*sawm al wisal*) *Sahabah* asked, you do keep *sawm* continuously. He said: I am not like you. I pass the night in a condition that my Rabb feeds and drinks me.

But *Sahabah* did not abstain from *sawm al wisal* Rasul-Allah ﷺ observed the *sawm* for two days with them. Then, they saw the new moon (the moon of first day of Islamic calendar), while seeing the moon Rasul-Allah ﷺ said had the moon delayed in appearance, I would have observed more *sawm* than you. He said this to them in enraging mood.¹⁰⁸

٣٨١ مَرْثَا عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ بْنُ أَشْمَاءَ حَدَّثَنَا جُوَيْرِيَةُ بْنُ أَشْمَاءَ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمَ الْأَحْزَابِ لَا يُصَلِّيَنَّ أَحَدُ الْعَصْرِ إِلَّا فِي نَبِيٍّ فَرِيضَةً فَأَذَرَ بَعْضُهُمُ الْعَصْرَ فِي الطَّرِيقِ فَقَالَ بَعْضُهُمْ لَا نُصَلِّي حَتَّى تَأْتِيَهَا وَقَالَ بَعْضُهُمْ بَلْ نُصَلِّي لَمْ يَرِدْ مِمَّا ذَلِكَ فَذَكَرَ ذَلِكَ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَلَمْ يُعْتَفَ وَاحِدًا مِنْهُمْ

Imam Bukhari and Ibn 'Abd al Birr have narrated from Abu Hurairah, he said that al-Nabiyy ﷺ said while sending a battalion of *Sahabah* to Banu Quraizah on the eve of Battle of Ahzab let every one of you perform the

salah of 'Asr on arriving the vicinity of Banu Quraizah some people were yet on the way that the time of 'asr came. Some of them were of the view that, we should perform the *salah* of 'asr after arriving at Banu Quraizah where as some of them insisted that we will perform the *salah* just now. Because he did not mean it, henceforth, this incident was related to al-Nabiyy ﷺ, he did not rebuke any of them.¹⁰⁹

Besides this Hadith, there are a number of Ahadith, which unambiguously assure us that Ahadith of Rasul-Allah ﷺ is authority (*hujjah*).

Third evidence: the Qur'an

The Book of Allah is full of those verses which collectively indicate the absolute authenticity of Sunnah; these verses are of many types. Some times, one verse happens to be based on more than one type. We will suffice over discussing five types only.

First type

Is that which expresses the obligatory of *iman* on Rasul-Allah ﷺ, to believe in Rasul-Allah ﷺ means to testify the *risalah* of Rasul-Allah ﷺ and all those things which he brought from Allah, whether they are mentioned in the Qur'an or not, and it means to surrender completely before his commands and those verses which states that, to falsify Rasul-Allah ﷺ or to disobey him is *kufir* Allah says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا بِٱللَّهِ وَرَسُولِهِ ءَٱلَّذِى نَزَّلَ عَلَىٰ
رَسُولِهِ ءَٱلَّذِى نَزَّلَ مِن قَبْلُ وَمَن يَكْفُرْ بِٱللَّهِ وَمَلَٰئِكَتِهِ
وَكُتُبِهِ وَرُسُلِهِ ءَٱلْيَوْمَ ٱلْآخِرِ فَقَدْ ضَلَّ ضَلَالًا بَعِيدًا ﴿١٣٦﴾

O you who believe! Believe in Allah and His Rasul and the scripture which He has sent to His Rasul and the scripture which He sent to those before [him]. Any who deny Allah, His angels, His Books, His Rusul, and the Day of Judgment, has gone far, far astray.

(al Nisa 4:136)

Allah Almighty says:

قُلْ يَتَأْتِيهَا ٱلنَّاسُ إِلَىٰ رَسُولِ ٱللَّهِ إِلَيْكُمْ جَمِيعًا ٱلَّذِى لَهُ مُلْكُ ٱلسَّمٰوٰتِ
وَٱلْأَرْضِ لَا إِلَهَ إِلَّا هُوَ يُحْيِى وَيُمِيتُ فَٱقَامُوا بِٱللَّهِ وَرَسُولِهِ ٱلنَّبِىِّ ٱلْأُمِّىِّ
ٱلَّذِى يُؤْمِنُ بِٱللَّهِ وَكَلِمَتِهِ ءَاتِيعُوهُ لَعَلَّكُمْ تَهْتَدُونَ ﴿١٥٨﴾

Say: O men! I am sent unto you all, as Rasul of Allah, to whom belong the dominion of the heavens and the earth: there is no Allah but He: it is He that give both life and death. So believe in Allah and His Rasul, the unlettered Nabiyy, who believed in Allah and His Words: follow Him that [so] ye may be guided.

(al A'raf 7:158)

Qadi 'Ayyad¹¹⁰ says that to believe in Rasul-Allah ﷺ is obligatory and determined. *iman* is completed by this and faith of a person gets corrected by this.

Allah the Exalted says:

وَمَنْ لَّمْ يُؤْمِنْ بِاللَّهِ وَرَسُولِهِ فَإِنَّا أَعْتَدْنَا لِلْكَافِرِينَ

سَعِيرًا ﴿١٣﴾

“And if any believe not in Allah and His Rasul, We have prepared for those who reject Allah, a blazing Fire!”
(al Fatah 48:13)

Allah Almighty says:

إِنَّا أَرْسَلْنَاكَ شَهِيدًا وَمُبَشِّرًا وَنَذِيرًا ﴿٨﴾

“We have truly sent you as a witness, as a bringer of Glad Tidings, and as a Warner:”
(al Fatah 48:8)

In another verse Allah the Exalted says:

إِنَّمَا الْمُؤْمِنُونَ الَّذِينَ آمَنُوا بِاللَّهِ وَرَسُولِهِ ثُمَّ لَمْ يَرْتَابُوا وَجَاهَدُوا بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فِي سَبِيلِ اللَّهِ أُولَٰئِكَ هُمُ الصَّادِقُونَ ﴿١٥﴾

“Only those are Believers who have believed in Allah and His Rasul and have never since doubted, but have striven with their belongings and their persons in the Cause of Allah: such are the sincere ones.”

(al Hujurat 49:15)

Allah Almighty says:

إِنَّمَا الْمُؤْمِنُونَ الَّذِينَ آمَنُوا بِاللَّهِ وَرَسُولِهِ وَإِذَا كَانُوا مَعَهُ عَلَىٰ أَمْرٍ جَامِعٍ لَّمْ يَذْهَبُوا حَتَّىٰ يَسْتَأْذِنُوهُ إِنَّ الَّذِينَ يَسْتَأْذِنُونَكَ أُولَٰئِكَ الَّذِينَ يُؤْمِنُونَ بِاللَّهِ وَرَسُولِهِ فَإِذَا أَسْتَأْذَنُوكَ لِبَعْضِ شَأْنِهِمْ فَأَذَنَ لِمَنْ شِئْتَ مِنْهُمْ وَاسْتَغْفِرَ لَهُمُ اللَّهُ إِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ ﴿١٢﴾

Only those are Believers, who believe in Allah and His Rasul: when they are with him on a matter requiring collective action, they do not depart until they have asked for his leave: those who ask for your leave are those who believe in Allah and His Rasul; so when they ask for your leave, for some business of theirs, give leave to those of them whom thou wilt, and ask Allah for their forgiveness: for Allah is Oft-Forgiving, Most Merciful.
(al Nur 24:62)

Imam Shafi'i says:¹¹¹ Allah has declared believing in Allah and that believing in His Rasul as perfection of primary faith and all other things are under it, therefore, if any person believes only in Allah but does not believe in His Rasul, the name of Muslim will never be applied to him until, besides believing in Allah, he believes in His Rasul also.

Ibn al Qayyim¹¹² states that when Allah has declared among the obligatory of *iman* that believers when happens to be with Rasul-Allah ﷺ, they should not leave him without his permission, therefore it is quite evident that among the obligations of *iman* is that they should opt for any knowledge or action only after seeking the permission from him. And his permission can be identified either by his sayings, actions or by his tacit approvals Allah Almighty says:

وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ
الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا ﴿٣٦﴾

It is not fitting for a Believer, man or woman, when a matter has been decided by Allah and His Rasul, to have any option about their decision: if anyone disobeys Allah and His Rasul, he is indeed on a clearly wrong path.
(al Ahzab 33:36)

Ibn al Qayyim¹¹³ states that Allah Almighty has mentioned in this verse that, no believer possess any free will after the decision of Allah and His Rasul and whosoever thinks that, he has a free will even after it, has gone obviously astray Allah the Exalted says:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِي مَا شَجَرَ
بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ
وَيُسَلِّمُوا تَسْلِيمًا ﴿١٥﴾

“But no, by your Rabb, they can have no [real]
Faith, until they make your judge in all disputes between
them, and find in their souls no resistance against your
decisions, but accept them with the fullest conviction.”

(al Nisa 4: 65)

Ibn al Qayyim¹¹⁴ mentions that Allah, the Exalted has sworn by Himself that His bondmen cannot claim to be Muslims until they make His Rasul arbitrator in all their small and big disputes and find in themselves no resistance against his decisions and accept his decisions with full submission.

Imam Shafi‘i⁹⁵ says that as far as we know, this verse was revealed about a person, who had quarreled with Zubair over the land and Rasul-Allah ﷺ gave decision in favour of Zubair, this decision was by Rasul-Allah ﷺ which is Sunnah, its order was not in the Qur’an and the Qur’an, too says, the same thing which I (Imam Shafi‘i) mentioned. Because had this decision would have been by the Qur’an then it would have been definite and unequivocal order of the Qur’an. If they would have rejected such an explicit order of the Qur’an, it would have been appropriate to call them unbelievers but the position here is that they reject the order of Rasul-Allah ﷺ thus, rejected the Qur’an by not accepting the order of Rasul-Allah ﷺ. In some editions the words are, because they did not accept his decision, so they rejected the order of the Qur’an and according to some other editions the words are that, they did not accept the decision of Rasul-Allah.

In short, Imam Shafi‘i wants to prove by this verse that this order of Rasul-Allah ﷺ was not present in the Qur’an in the shape of explicit verse. Had it not been, their disbelief would have been in result of rejecting the order of the Qur’an and not accepting it and by not feeling narrowness in their hearts by the decision of Rasul-Allah ﷺ. Apparently, at that time, it would have been said that: By your Rabb they won’t be Muslims until they accept the order of the Book of Allah (i.e. the Qur’an) and won’t entrust themselves to it.

Second type

Second type is that which express that whatever thing Allah, the Exalted had decided for his bondmen, Rasul-Allah ﷺ elucidates the Book of Allah according to that, he is commentator of it whose commentary is reliable (and acceptable) before Allah and that he teaches his *ummah* the Book of Allah and the *hikmah* and *hikmah* means, as Imam Shafi‘i and other learned ‘*ulama* have said, is Sunnah and if it will be accepted that it means Book of Allah even then the meaning of teaching his *ummah* will be its commentary, elucidation of brief things thereof, and explanation of its difficult affairs. It makes incumbent that the elucidation of the Qur’an, which Rasul-Allah ﷺ has done by his deeds, sayings

and tacit approvals, is authority; following verses are evident proof of it. Allah Almighty says:

بِالْبَيِّنَاتِ وَالزُّبُرِ وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ
وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿٤٤﴾

“[We sent them] with Clear Signs and Scriptures and We have sent down unto you [also] the Message; that you may explain clearly to men what is sent for them, and that they may give thought.” (al Nahal 16: 44)

In another verse Allah the Almighty says:

وَمَا أَنْزَلْنَا عَلَيْكَ الْكِتَابَ إِلَّا لِتُبَيِّنَ لَهُمُ الَّذِي اخْتَلَفُوا فِيهِ وَهُدًى
وَرَحْمَةً لِّقَوْمٍ يُؤْمِنُونَ ﴿٦٤﴾

“And We sent down the Book to you for the express purpose, that you should make clear to them those things in which they differ, and that it should be a guide and a mercy to those who believe.” (al Nahal 16:64)

On another occasion Allah the Exalted says:

كَمَا أَرْسَلْنَا فِيكُمْ رَسُولًا مِنْكُمْ يَتْلُو عَلَيْكُمْ آيَاتِنَا
وَيُزَكِّيْكُمْ وَيُعَلِّمُكُمُ الْكِتَابَ وَالْحِكْمَةَ وَيُعَلِّمُكُم مَّا لَمْ
تَكُونُوا تَعْلَمُونَ ﴿١٥١﴾

“Even as We have sent unto you a Rasul from among you who recite unto you Our revelations and cause you to grow, and teach you the Book and *hikmah* and teach you that which you knew not. (al Baqarah 2:151)

Allah the Almighty says:

لَقَدْ مَنَّ اللَّهُ عَلَى الْمُؤْمِنِينَ إِذْ بَعَثَ فِيهِمْ رَسُولًا مِنْ أَنْفُسِهِمْ
يَتْلُوا عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ
وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ ﴿١٦٤﴾

Allah did confer a great favour on the Believers when He sent among them a Rasul from among themselves, rehearsing unto them the Signs of Allah, sanctifying them, and instructing them the Book and *hikmah*, while before that, they had been in manifest error. (al ‘Imran 3:164)

On another occasion, Allah the Exalted says:

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِنْهُمْ يَتْلُو عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ
وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ ﴿٢﴾

It is He Who has sent amongst the Unlettered a Rasul from among them, to rehearse to them His Signs, to sanctify them, and to instruct them the Book and *hikmah*, although they had been, before, in manifest error. (al Jum'ah 62:2)

Allah the Almighty says:

وَأَذْكُرُوا اللَّهَ عَلَيْكُمْ وَمَا أَنْزَلَ عَلَيْكُمْ مِنَ الْكِتَابِ وَالْحِكْمَةِ بِعَظُمِ
بِهِءَا وَاتَّقُوا اللَّهَ وَأَعْلَمُوا أَنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿٢٣١﴾

“But solemnly rehearse Allah's favours on you, and the fact that He sent down to you the Book and *hikmah*, for your instruction. And fear Allah, and know that Allah is well-acquainted with all things.”

(al Baqarah 2:231)

In another place Allah the Almighty says:

وَأَنْزَلَ اللَّهُ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ وَعَلَّمَكَ مَا لَمْ تَكُن تَعْلَمُ وَكَانَ
فَضْلُ اللَّهِ عَلَيْكَ عَظِيمًا ﴿١١٣﴾

“Allah has sent down to you the Book and *hikmah* and taught you what you knew not [before]: and great is the Grace of Allah unto you.”

(al Nisa 4:113)

Allah the Almighty says:

وَأَذْكُرْنَ مَا يُتْلَىٰ فِي بُيُوتِكُنَّ مِنْ آيَاتِ اللَّهِ وَالْحِكْمَةِ إِنَّ اللَّهَ
كَانَ لَطِيفًا خَبِيرًا ﴿٣٤﴾

“And recite what is rehearsed to you in your homes, of the Signs of Allah and His *hikmah*: for Allah understands the finest mysteries and is well-acquainted [with them].”

(al Ahzab 33: 34)

Imam Shafi'i¹¹⁶ says Allah Almighty mentioned the Book which means the Qur'an and mentioned *hikmah*, I heard some of the 'ulama having the knowledge of the Qur'an, and among whom I like some of them, saying that *hikmah* means the Sunnah of Rasul-Allah ﷺ whatever they have said is expedient and correct, because the Qur'an is mentioned first and just after it *hikmah* is mentioned in the

verse, and has mentioned his gratitude over creatures that he gave them the knowledge of the Qur'an and *hikmah*, therefore, nothing can we said but here *hikmah* means Sunnah of Rasul-Allah ﷺ. Because it has been mentioned with the Book and that Allah has declared that obedience to His Rasul ﷺ is obligatory.

In the above mentioned passage, Imam Shafi'i wants to state that *hikmah* means Sunnah, that is because Allah, the Exalted has used conjunction with *hikmah* over the Book and it demands of estrangement, therefore, *hikmah* is not the Book. Besides it *hikmah* can not be anything other than the Book and the Sunnah, because Allah Almighty has conferred over us the favour by the teaching of the Qur'an and the Sunnah, and bestowing of favour is only on those things which are truth and correct. Therefore, *hikmah* too is binding and worthy to follow like the Book, especially when Allah Almighty has mentioned *hikmah* and the Book together, and in whole of His Book, He has only made the obligatory on us the adherence of His Book and Sunnah of His Rasul. So it is established that *hikmah* means Sunnah.

Third type

Third type is that which states that obedience to Rasul-Allah ﷺ sheer obligatory (without conditions and limits) in all those things which he orders and from which he abstains, and obedience to Rasul-Allah ﷺ is (really) the obedience to Allah Almighty, and warns for the opposition to Rasul-Allah ﷺ and from changing his Sunnah.

Allah the Exalted says:

وَأَطِيعُوا اللَّهَ وَالرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿١٣٢﴾

“And obey Allah and al Rasul; that you may obtain mercy.” (al‘Imran 3:132)

Allah the Exalted says:

قُلْ أَطِيعُوا اللَّهَ وَالرَّسُولَ فَإِنْ تَوَلَّوْا فَإِنَّ اللَّهَ لَا يُحِبُّ الْكَافِرِينَ ﴿٣٢﴾

“Say: Obey Allah and His al Rasul: but if they turn back, Allah loves not those who reject Faith.” (al ‘Imran 3:32)

In another verse Allah the Almighty says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَرَسُولَهُ وَلَا تَوَلَّوْا عَنْهُ وَأَنْتُمْ
تَسْمَعُونَ ﴿٢٠﴾ وَلَا تَكُونُوا كَالَّذِينَ قَالُوا سَمِعْنَا وَهُمْ لَا يَسْمَعُونَ ﴿٢١﴾

“O you who believe obey Allah and His Rasul, and turn not away from him when ye hear [him speak]. Nor be like those who say: "We hear," but listen not.”

(al Anfal 8:20-21)

Allah Almighty says:

وَأَطِيعُوا اللَّهَ وَرَسُولَهُ وَلَا تَنَازَعُوا فَتَفْشَلُوا وَتَذْهَبَ رِيحُكُمْ
وَأَصْبِرُوا إِنَّ اللَّهَ مَعَ الصَّابِرِينَ ﴿٤٦﴾

“And obey Allah and His Rasul; and fall into no disputes, lest you lose heart and your power depart; and be patient and persevering: for Allah is with those who patiently persevere.”

(al Anfal 8:46)

Allah the Exalted says:

وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأَحْذَرُوا فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّمَا عَلَى
رَسُولِنَا الْبَلَاغُ الْمُبِينُ ﴿٩٢﴾

“Obey Allah, and obey al Rasul, and beware [of evil]: if ye do turn back, the duty of our Rasul is but to proclaim [the Message] in the clearest manner.”

(al Ma'idah 5: 92)

Allah the Almighty says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَلَا تُبْطِلُوا
أَعْمَالَكُمْ ﴿٣٣﴾

“O you who believe obey Allah, and obey al Rasul, and make not vain your deeds!”

(Muhammad 47:33)

Allah Almighty says:

وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ فَإِنْ تَوَلَّيْتُمْ فَإِنَّمَا عَلَى رَسُولِنَا الْبَلَاغُ
الْمُبِينُ ﴿١٢٠﴾

“So obey Allah, and obey His al Rasul: but if you turn back, the duty of Our Rasul is but to proclaim [the Message] clearly and openly.”

(al Taghabun 64:12)

Allah the Exalted says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى
الْأَمْرِ مِنْكُمْ فَإِنْ تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ
كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

O you who believe! Obey Allah, and obey al Rasul, and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and al Rasul, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.
(al Nisa 4:59)

Qadi ‘Ayyad has reported from ‘Atta and Ibn al Birr and Baihaqi has narrated from Maimun Ibn Mehran in *Madkhal* that the meaning of refer to Allah is to refer towards His Book and referring towards al Rasul is to refer towards him in his life and towards his Sunnah after his demise.

Allah Almighty says:

فَإِنْ تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ ﴿٥٩﴾

‘And if you will differ in anything among yourselves, refer it to Allah and al Rasul’, here the word (*tanazatum*) ‘you differ’, means that you differ in anything and it is about (*ulilamr*) ‘men of authority’. However Allah Almighty says if you have mutual difference i.e. between them and those whose obedience they have been ordered then refer to Allah and His Rasul ﷺ and if you don’t know what is their teachings ask such person who amongst you has knowledge of the Qur’an and the Sunnah Because it is the only way to know about the sayings of Allah and His Rasul ﷺ. Allah the Exalted says:

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ
الْخِيرَةُ مِنْ أَمْرِهُمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا ﴿٦١﴾

It is not fitting for a Believer, man or woman, when a matter has been decided by Allah and His Rasul, to have any option about their decision: if anyone disobeys Allah and His Rasul, he is indeed on a clearly wrong Path.
(al Ahzab 33:36)

Those who differ each other on any subject they should refer their matter to Allah and His Rasul ﷺ, if they failed to derive the solution from the said sources

then they should make the analogical deductions from the available rulings of the Qur'an and the Sunnah.

Tayyibi says: In (اطيعوا الرسول) 'obey al Rasul' is the repetition of verb which indicates that obedience to Rasul-Allah ﷺ has a permanent status and in (*ulilamr*) 'men of authority' there is no such repetition of verb, which intimates the fact that among them will be some people whose obedience will not be obligatory and then mentioned His statement in (فان تنازعتم في شئ) as if it is said in it that if they will not practice upon the truth, do not obey them and in which you oppose them then refer that to the Book of Allah and His Rasul.¹¹⁷

Ibn al Qayyim¹¹⁸ says that Allah has ordered His obedience and obedience to His Rasul ﷺ and has repeated the 'verb' for relating that the obedience to Rasul is permanently obligatory whatever Rasul-Allah ﷺ orders, his obedience is obligatory without presenting that before the Qur'an. Nay when he will order, whether that is found in the Qur'an or not (obedience is obligatory) because he has been given the Qur'an and the thing like the Qur'an. But the order of permanent obedience to (*ulilamr*) 'men of authority' is done under the obedience to Rasul-Allah ﷺ, whosoever, among them, gives orders according to *Shari'ah*, his obedience will be obligatory and whosoever will give orders against the *Shari'ah*, his statement will neither be heard nor he will be obeyed there is a Hadith, Rasul-Allah ﷺ, said that there is no obedience for creatures in the disobedience to creator. In another Hadith, Rasul-Allah ﷺ, said that obedience is only in good deeds. He said about rulers and officials that whosoever among them will order you of disobedience, neither listen them nor obey them. He said about those persons, who had wanted to pounce into the fire when their *amir* had ordered them to pounce into the fire, had they had pounced into fire, they would have never come out of it. In fact, they were going to pounce into fire in obedience to their *amir* but they did not obey him as his order was against the spirit of the Qur'an and the Sunnah, question arises here what about the rulers to whom people obey even after knowing that their orders are against the Qur'an and the Sunnah? Well in such situations people should present orders of their rulers before the *Shari'ah* and if their orders are in accordance with *Shari'ah* they are bound to obey them other wise they should not obey them.

Fourth type

Fourth type is which reveals that obedience in all the commands given by Rasul-Allah ﷺ and to make him as a model for life is obligatory. Further more it states his obedience is must for achieving the pleasure of Allah. Allah Almighty says:

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ
وَاللَّهُ غَفُورٌ رَحِيمٌ ﴿٣١﴾

“Say: If you do love Allah, follow me: Allah will love you and forgive you your sins; for Allah is Oft-Forgiving, Most Merciful.” (al ‘Imran 3:31)

Qadi‘Ayyad has narrated from Hasan Basari in his book *kitab al Shifa*, that some people told Rasul-Allah ﷺ O! Rasul of Allah, we do adore Allah, there upon. Allah Almighty revealed this verse:

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ
وَاللَّهُ غَفُورٌ رَحِيمٌ ﴿٣١﴾

“Say: If you do love Allah, follow me: Allah will love you and forgive you your sins; for Allah is Oft-Forgiving, Most Merciful.” (al ‘Imran 3:31)

It is reported by Hasan Basari that, Rasul-Allah ﷺ said to them that the sign of adoring Allah is the adherence to Sunnah of His Rasul.

Allah Almighty says:

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِمَن كَانَ يَرْجُوا اللَّهَ وَالْيَوْمَ
الْآخِرَ وَذَكَرَ اللَّهَ كَثِيرًا ﴿٢١﴾

“You have indeed in the Rasul of Allah a beautiful pattern [of conduct] for any one whose hope is in Allah and the Final Day, and who engages much in the praise of Allah.” (al Ahzab 33: 21)

Muhammad Ibn‘Aliyy Tirmidhi says that, the meaning of Rasul-Allah ﷺ being model is to follow him, to follow Sunnah thereof and not to oppose his sayings and actions. Qadi ‘Ayyad says that various commentators have said the same meaning of it.

Fifth type

Fifth type is that which relates that Allah has ordered Rasul-Allah ﷺ to what has been revealed to him whether that is recited *wahy* or un-recited *wahy* and has made him responsible for preaching that, and has saved him from error in this

regard. And Allah has protected him from such elements who desire to change and amend whatever has been revealed upon him or wants to conceal some part of it. Besides it also states that He has performed that order and proclaimed the Divine message as it deserved to be proclaimed and performed it in an extremely perfect manner (way) and leads the people to right path. Allah accomplished (perfected) the religion for *ummah* with all things by the preaching of what Allah sent down to him, and that his etiquettes are of high rank and etiquettes are the springs of all optional sayings, and deeds when he was at the apex of lofty etiquettes before Allah. Then all the saying and actions committed by him are of the same rank.

All these examples express the truthfulness of Sunnah; it is authenticity and states the obligation of holding Sunnah firmly. Allah Almighty says:

﴿اتَّبِعْ مَا أُوحِيَ إِلَيْكَ مِنْ رَبِّكَ لَا إِلَهَ إِلَّا هُوَ وَأَعْرِضْ عَنِ الْمُشْرِكِينَ﴾

“Follow what is revealed unto you from your Rabb: there is no Allah but He: and turn aside from those who ascribe partners with Allah.” (al An‘am 6:106)

Allah Almighty says:

﴿ثُمَّ جَعَلْنَاكَ عَلَىٰ شَرِيعَةٍ مِّنَ الْأَمْرِ فَاتَّبِعْهَا وَلَا تَتَّبِعْ أَهْوَاءَ الَّذِينَ لَا يَعْلَمُونَ﴾

“Then We put you on the [right] Way of Religion: so follow you that [Way], and follow not the desires of those who know not.” (al Jathiya 45:18)

Authority of the Sunnah in the Qur’an

Hadith and Sunnah are generally used in the same sense. Both of these words have been used about sayings, actions and tacit approvals and *ijtihad* of Rasul-Allah ﷺ. His saying is as respectable as the personality of Rasul-Allah ﷺ. Adherence to the Sunnah of Rasul-Allah ﷺ which has been mentioned in the Qur’an, every person can understand by that, after the demise of Rasul-Allah, it means Sunnah. Sunnah or Hadith are mentioned in the Qur’an in two different ways. Obedience to Rasul-Allah ﷺ has been mentioned separately from the obedience to Allah. It should be remembered that where ever obey the Allah (اطيعوا الله) is mentioned it is proceeded by obey al-Rasul (اطيعوا الرسول) there is not a single example where (اطيعوا الله) ‘obey Allah’ is mentioned without (اطيعوا الرسول) ‘obey the Rasul’ on the contrary, the word of obedience and adherence to Rasul-Allah ﷺ has been used separately:

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَطِيعُوا الرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿٥٦﴾

“So establish regular *salah* and pay regular *zakah*; and obey al Rasul; that you may receive mercy.”

(al Nur 24:56)

يَوْمَئِذٍ يَوَدُّ الَّذِينَ كَفَرُوا وَعَصُوا الرَّسُولَ لَوْ تُسَوَّى بِهِمُ الْأَرْضُ وَلَا يَكْتُمُونَ اللَّهَ حَدِيثًا ﴿٥٧﴾

“On that day those who reject Faith and disobey al Rasul will wish that the earth were made one with them: but never will they hide a single fact from Allah!”

(al Nisa 4:42)

It is the practical proof of this fact that direct obedience of Allah is not possible but when the men (*Anbiya'*) present a practical model to follow. This fact has been mentioned in the verses like:

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِّمَن كَانَ يَرْجُوا اللَّهَ وَالْيَوْمَ
الْآخِرَ وَذَكَرَ اللَّهَ كَثِيرًا ﴿٦١﴾

“You have indeed in the Rasul-Allah a beautiful pattern [of conduct] for any one whose hope is in Allah and the Final Day, and who engages much in the praise of Allah.”

(al Ahzab 33:21)

مَن يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَن تَوَلَّى
فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِظًا ﴿٨٠﴾

“He who obeys al Rasul obeys Allah; but if any turn away, we have not sent you to watch over their [evil deeds].”

(al Nisa 4:80)

مَا آفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي
الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَىٰ لَا يَكُونَ دُولَةً
بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ
فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٧٧﴾

What Allah has bestowed on His Rasul [and taken away] from the people of the townships, belongs to Allah, to His Rasul and to kindred and orphans, the needy and the wayfarer; in order that it may not [merely] make a circuit between the wealthy among you. So take what al Rasul assigns to you, and deny yourselves that

which he withholds from you. And fear Allah; for Allah is strict in Punishment. (al Hashr 59:7)

Mentioning of such objectives which can not be accomplished without Hadith (al Hashr 59:3) here (*atakum*) ‘gave you’ has been kept against (*nahakum*) ‘refrains you’ and (*nahi*) ‘negative’ is kept against (*amar*) ‘imperative’ so the meaning of (*atakum*) ‘gave you’ will be (*amarakum*) ‘enforced you’ etc. Act upon the order of Rasul-Allah ﷺ very firmly (*amar*) ‘command’ leads to obligatory and (*nahi*) ‘negative abstinences’ leads to unlawful i.e. whatever Rasul-Allah ﷺ enjoins, its obedience will be obligatory and from whatever he refrains its committing will be unlawful. The commonness of verse is based on the obedience to Rasul-Allah ﷺ and in (*fakhuzuhu*) ‘and take that’ the same obligatory and emphasis has been mentioned. If the verse will be considered about the distribution of booty in that case also, there will be no effect on the basic affair. In this also, the distribution will be on the basis of ‘command’ and ‘abstinences’ of Rasul-Allah ﷺ. The powers for legislation have been entrusted to Rasul-Allah ﷺ in all matters, both the sayings of Rasul-Allah ﷺ have been mentioned as inevitable and categorical and have been made obligatory on the people. After the command and abstinence of Rasul-Allah ﷺ, same will be enacted and there is no need to wait for other thing. This denotes the authority of the Hadith.¹¹⁹

وَمَا أَرْسَلْنَا مِنْ رَّسُولٍ إِلَّا لِيُطَاعَ بِإِذْنِ اللَّهِ وَلَوْ
أَنَّهُمْ إِذْ ظَلَمُوا أَنْفُسَهُمْ جَاءُوكَ فَاسْتَغْفَرُوا اللَّهَ وَاسْتَغْفَرَ لَهُمُ
الرَّسُولُ لَوَجَدُوا اللَّهَ تَوَّابًا رَحِيمًا ﴿١٤﴾

We sent not a Rasul, but to be obeyed, in accordance with the Will of Allah. If they had only, when they were unjust to themselves, come unto you and asked Allah's forgiveness, and al Rasul had asked forgiveness for them, they would have found Allah indeed Oft-Returning, Most Merciful. (al Nisa 4:64)

We have sent Rasul only so that people will obey him. In this verse, the actual aim of *risalah* has been declared that mankind should follow Rasul. If a person accepts the *risalah* and Rasul but do not consider obedience to him obligatory, he is nullifying the aim of *risalah* and its objective. It is obvious disbelief and heresy. Since *risalah* is *wahbi* therefore, the denial of his status will be as waging war against Allah:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِي مَا شَجَرَ
بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ
وَيُسَلِّمُوا تَسْلِيمًا ﴿٦٥﴾

“But no, by your Rabb, they can have no [real] Faith, until they make you judge in all disputes between them, and find in their souls no resistance against your decisions, but accept them with the fullest conviction.”

(al Nisa 4: 65)

Here the status of Rasul-Allah ﷺ has two aspects. One aspect of it is that, he is *amir* and ruler and according to his spiritual status, he is Rasul of Allah. If in worldly aspect it is denial of *iman* to reject his decision, to deny his *Nubbuwah* will be more obviously the denial of *iman*. Therefore, this verse is proof for the authority of Hadith.

وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ
الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا ﴿٣٦﴾

1. It is not fitting for a Believer, man or woman, when a matter has been decided by Allah and His Rasul, to have any option about their decision: if anyone disobeys Allah and His Rasul, he is indeed on a clearly wrong Path.

(al Ahzab33:36)

The acceptance of decision of Rasul-Allah ﷺ is declared as condition of *iman*.

2. There is no question of personal desire or wish after the matter is decided by the Rasul-Allah ﷺ.
3. If any person will insist on his personal wish and make attempt to make decision accordingly, then there is warning of obvious astray present for him.
4. To surrender personal wish and will before the decision of Rasul-Allah ﷺ is declared as condition of *iman*. The authenticity of sayings, actions and approvals of Rasul-Allah ﷺ is clear by this verse.¹²⁰

لَا تَجْعَلُوا دُعَاءَ الرَّسُولِ بَيْنَكُمْ كَدُعَاءِ بَعْضِكُمْ بَعْضًا قَدْ يَعْلَمُ اللَّهُ
الَّذِينَ يَتَسَلَّلُونَ مِنْكُمْ لِوَاذًا فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ
تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ ﴿٦٢﴾

Deem not the summons of al Rasul among yourselves like the summons of one of you to another: Allah doth know those of you who slip away under shelter of some excuse: then let those beware who

withstand his order, lest some trial befall them, or a grievous Penalty be inflicted on them. (al Nur 24:63)

1. The call of Rasul-Allah ﷺ is different from the usual and ordinary conversation of people (there can be opposition in mutual conversation but the position of Rasul-Allah ﷺ is totally different from this) there is no scope to resist the decision of Rasul-Allah ﷺ.
2. The commandments of Rasul-Allah ﷺ can never be ignored under the pretexts and excuses but it is the behaviour of hypocrites.
3. Those people who oppose the commandments of Rasul-Allah ﷺ (and do not consider them as authority) deserve the painful torment.

ءَأَشْفَقْتُمْ أَن تُقَدِّمُوا بَيْنَ يَدَيَّ نَجْوَاكُمْ صَدَقْتُمْ فَأِذَا لَمْ تَفْعَلُوا وَتَابَ
اللَّهُ عَلَيْكُمْ فَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَطِيعُوا اللَّهَ وَرَسُولَهُ
وَاللَّهُ خَبِيرٌ بِمَا تَعْمَلُونَ ﴿١٣﴾

Is it that you are afraid of spending sums in charity before your private consultation [with him]? If, then, ye do not so, and Allah forgives you, then [at least] establish regular *salah*; pay regular *zakah*; and obey Allah and His Rasul. Allah is well-acquainted with all that you do. (al Mujadilah 58:13)

In this verse, the obedience to Rasul-Allah ﷺ is declared as obligatory as the *salah* and *zakah*.

إِنَّا أَنزَلْنَاهُ إِلَيْكَ بِالْحَقِّ لِنَتَحَكَّمَ بَيْنَ النَّاسِ بِمَا أَرَدَكَ اللَّهُ وَلَا
تَكُنْ لِلْخَائِنِينَ خَصِيمًا ﴿١٥﴾

“We have sent down to you the Book in truth, that you might judge between men as guided by Allah: so be not [used] as an advocate by those who betray their trust,” (al Nisa 4:105)

The cause of revealing the Book is declared as to appoint Rasul-Allah ﷺ judge. Had Rasul-Allah ﷺ not deserving the right of giving decisions there would have been no need of revealing the Book upon him.

The decision will also be not by *wahy natiq* (the Qur'an) this thing has been explained in (*arakaAllah*) ‘Allah demonstrated to you’ that this decision will be by contemplation and diligence and Rasul-Allah ﷺ would relate it by his own opinion.

Rasul-Allah ﷺ has been made bound not to support the wrong person.

The matter is categorized in this verse, either it would be denial of the revelation of the Qur'an upon Rasul-Allah ﷺ or *ijtihad* of Rasul-Allah ﷺ too would be considered duly from Allah Almighty. As sayings of Rasul-Allah ﷺ are revealed thus, they too are *hujjah*.

Fourth evidence: Sunnah of Rasul-Allah

There are innumerable Ahadith which collectively and categorically indicate authenticity of Sunnah, narrations which are about the Sunnah has many kinds, which can be divided into three parts.

First type

Rasul-Allah ﷺ, being impeccable from telling a lie, has said that Qur'an has been revealed upon him and besides that other thing like that has been revealed upon him and that the commandment, which he stated and decided as canon, has been actually decided by Allah and even their elucidation too was by Allah thus the obedience to his Sunnah has been ordered and that whosoever followed him and held his Sunnah firmly, in fact he obeyed the Allah and got the guidance and deserved the Heaven and the unlimited reward. Whereas, whosoever disobeyed him, rejected the Hadith of Rasul-Allah ﷺ and follow his own wishes and desires, he in fact, disobeyed Allah and got astrayed, hence got destroyed and deserved the Hell and curse of Allah. And that *iman* gets completed only by surrendering before the *Shari'ah*. Those things which people fabricated by their own desires and wishes, are innovations and are worthy to be rejected. All these things endorse the authenticity of Sunnah. Abu Dawud, Tirmidhi and Hakim have narrated from Miqdam.

٣٩٨٨ مَرْثَا عَبْدُ الْوَهَّابِ بْنِ تَجْدَةَ حَدَّثَنَا أَبُو عَمْرٍو بْنُ كَثِيرٍ بْنُ دِينَارٍ عَنْ خُرَيْبِ بْنِ عُفَيْرٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَوْفٍ عَنِ الْمِقْدَامِ بْنِ مَعْوَى كَرِيبٌ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ قَالَ أَلَا إِنِّي أُوتِيتُ الْكِتَابَ وَمِثْلَهُ مَعَهُ أَلَا يُوسِكُ رَجُلٌ شَيْعَانٍ عَلَى أَرْبَعِيهِ يَقُولُ عَلَيْكُمْ بِهَذَا الْقُرْآنِ فَمَتَا وَجَدْتُمْ فِيهِ مِنْ خِلَالٍ فَأَجْلُوهُ وَمَا وَجَدْتُمْ فِيهِ مِنْ حَرَامٍ فَحَرِّمُوهُ أَلَا لَا يَجِلُّ لَكُمْ لَحْمُ الْجَمَارِ الْأَهْلِيَّةِ وَلَا كُلُّ دِي تَابٍ مِنَ الشَّيْءِ وَلَا لُقْطَةٌ مُعَاهِدٍ إِلَّا أَنْ يَسْتَعِينَهَا عَنْهَا صَاحِبُهَا وَمَنْ نَزَلَ بِقَوْمٍ فَعَلَيْهِمْ أَنْ يَنْقَرُوهُ فَإِنْ لَمْ يَنْقَرُوهُ فَلَهُ أَنْ يُعَقِّبَهُمْ بِمِثْلِ قِرَاهِ ﴿٢٠﴾

Miqdam Ibn Ma'd Yakrib reported Allah's Rasul ﷺ as saying: very soon a Hadith of mine will be related to a person lying on his couch who will say, the Book [i.e., the Qur'an] of Allah Mighty and Glorious is [enough] between you and us. Whatever we find in it is lawful [*halal*] we accept it as *halal* and whatever we find in it as unlawful [*haram*], we take that as *haram*. Behold, whatever Allah's Rasul has declared as *haram* is just like that which Allah has declared as *haram*.¹²¹

Abu Dawud has narrated from ‘Irbad Ibn Sariyah:

٣٩٨٨ حدثنا أحمد بن محمد بن حنبل وعبد الله بن محمد الثقفاني قالاً حدثنا سفيان عن أبي الثوري عن عبيد الله بن أبي رافع عن أبيه عن النبي صلى الله عليه وسلم قال لا ألتفتن أحدكم مشكفاً على أريكته يأتيه الأمر من أمري مما أمرت به أو نهيت عنه فيقول لا ندرى ما وجدنا في كتاب الله اتبعناه ﴿٥﴾

‘Ubaid Allah Ibn Abu Rafi‘ reported on the authority of his father that al-Nabiyy ﷺ said: ‘I must not see anyone reclining his couch, which reaches something I have commanded to do or prohibited to do, and he says: I know not [anything except the Qur’an]. What we find in Allah’s Book we will follow it only’.¹²²

Allah Almighty says:

مَا آفَاءَ اللَّهِ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٥﴾

What Allah has bestowed on His Rasul [and taken away] from the people of the townships, belongs to Allah, to Rasul and to kindred and orphans, the needy and the wayfarer; in order that it may not [merely] make a circuit between the wealthy among you. So take what the al Rasul assigns to you, and deny yourselves that which he withholds from you. And fear Allah; for Allah is strict in Punishment. (al Hashr 59:7)

٣٩١٧ حدثنا عبد الله بن محمد بن يحيى حدثنا يعقوب بن إسحاق المقرئ الحضرمي حدثنا سهيل بن مهران أجازي حزم القطيعي حدثنا أبو عمران عن جندب قال قال رسول الله صلى الله عليه وسلم من قال في كتاب الله عز وجل بآية فأصاب فقد أخطأ ﴿٥﴾

“Baihaqi has reported from Jundub that Rasul-Allah ﷺ said: whosoever stated any thing about the Qur’an by his own opinion even if he is right erred.¹²³”

Tabrani has narrated from ‘Umar in *Mu‘jam Aawsat* he said that Rasul-Allah ﷺ said: I am afraid of a person in my *ummah*, who will interpret the Qur’an by irrelevant means and will quote it unjustly.

Abu Ya‘la Mausili has narrated from Ibn ‘Abbas, that he said that Rasul-Allah ﷺ, said: whosoever uttered any thing in the Qur’an, without having

knowledge of it, shall come on doomsday in a state that there will be bridle of fire (affixed) in his mouth.

Ahmad, Abu Ya'la and Tabrani has narrated from 'Umar he said that once Rasul-Allah ﷺ, was along with a group of *Sahabah*, He said to them. Do you know? That whosoever obeyed me obeyed Allah and that my obedience is the part of obedience to Allah *Sahabah* replied why not? We bear witness to it, he said of my obedience is that obey your 'umra. In another narration the word (*aimah*) 'religious heads' is used in place of (*umra*) 'rulers'. It is mentioned in the *Fath al Bari*¹²⁴ that it is obligatory to obey 'umra according to this Hadith, except their order contradicts *Shari'ah*.¹²⁵

Tabrani has narrated in *Mu'jam Aawsat* from Jabir that Rasul-Allah ﷺ, said: To whom my Hadith reached and he denied it, he denied the three, i.e. Allah, His Rasul and he who stated that Hadith.¹²⁶

Second type

Following things have been mentioned regarding the second type of *hujjah* from Rasul-Allah ﷺ, where he bids his followers to hold Sunnah firmly whether they find its origin in the Qur'an or not and, not to neglect the Sunnah against the personal opinions.

He only enjoins such thing which Allah has made obligatory and forbids only that thing which Allah has forbidden as is proved by the above mentioned Ahadith.

Imam Bukhari and Muslim have narrated from 'A'ishah she said that once Rasul-Allah ﷺ performed an action (about which he expected people to perform the same) some people abstained from it. Rasul-Allah ﷺ came to know about this thus, he delivered a sermon, in it he praised the Allah and then said: 'what happened to people that they abstain from such deeds which I perform myself. By Allah! I know Allah more than anybody else and fear Him more than you'.¹²⁷

Third type

This type is based on the following matters: to listen to his Ahadith, to memorize them, and for those who were present and heard them, to make them bound to narrate these Ahadith to those who were absent and glad tidings for them. By making his Companions bound to forward his Ahadith to other people speaks itself that, Rasul-Allah ﷺ wants to make *hujjah* of his sayings not only for those who directly heard him but to those also who were not present during his era.

Similarly, following issues are also relevant and related to it. That he strictly prohibits from attributing lie to him and his warning that slandering to him is not like the slandering to anybody else. All these precautionary measures were taken because Ahadith are based on commandments of Allah therefore, slandering to him or concealing his Ahadith (*kidhb wa kitman 'ilm*) is like to change the commands of Allah and whatever He has revealed and to keep the people ignorant of religion.

Had the status of Ahadith been not what we have mentioned above then there would have been no difference between slandering to common man or slandering to Rasul-Allah ﷺ, and concealing of Ahadith, would have not been considered major sin in *Shari'ah*.

Fifth evidence: practising upon the Qur'an is not possible without Sunnah

Practising only upon the Qur'an (without Sunnah) is impossible. The person, upon whom *wahy* would not have been revealed, and Allah would have not helped him through *wahy*, It would have been never possible for him to know all the commandments, meaning of Divine law (*Shari'ah*) and its elucidations by his intellect alone.

Abu 'Abd Allah Bukhari has narrated that when Rasul-Allah ﷺ, was asked about the pet donkey (i.e. about the flesh thereof) Rasul-Allah ﷺ, said: only this comprehensive and unique verse about it has been revealed upon me.

فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ ۖ وَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرًّا يَرَهُ ۖ

“Then shall anyone who has done an atom's weight of good, see it and anyone who has done an atom's weight of evil, shall see it.” (al ZilzAllah 99:7-8)

Rasul-Allah ﷺ extracted the order about the pet donkeys from this verse; can any person other than him extract this order from this verse?

The Qur'an is also based on various ambiguous and difficult verses. So, in order to practice upon them, such explanation is necessary, which will elucidate and explain them, and interpret and annotate them. It is important that this annotation should be from Allah Almighty. This is why He holds His bondmen responsible to follow His religion. It is He who is knower of His religion and there is none except Him who can claim to know His religion while keeping His Rasul ﷺ aside. The annotation of His revealed Book is the Sunnah which He

revealed too if Rasul-Allah ﷺ said anything on the basis of his intellect that too becomes *Shari'ah* by the tacit approval of Allah.

Allah Almighty says:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّا جَاءْنَا بِالْبَيِّنَاتِ وَالزُّبُرِ وَأَنزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿٤٤﴾

“[We sent them] with clear signs and Scriptures and We have sent down unto you [also] the Message; that you may explain clearly to men what is sent for them, and that they may give thought.” (al Nahal 16: 44)

We shall present some examples here in this regard.

Allah Almighty says:

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ ﴿٤٣﴾
وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَطِيعُوا الرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ ﴿٥٦﴾

“And be steadfast in *salah*; pay *zakah*; and bow down your heads with those who bow down [in worship]. So establish regular *salah* and give *zakah*; and obey al Rasul; that ye may receive mercy.” (al Baqarah 2: 43, al Nur 24: 56)

It is obvious by these verses that *salah* and *zakah* are obligatory. But what is the exact meaning of *salah* which has been made obligatory? What is its condition (of performing)? What is its time and what is its quantity? Upon whom it is made obligatory and how many times is it obligatory during the life time. Similarly, what is the exact meaning of *zakah*? Upon whom it is made obligatory? In what condition it is obligatory and what is its quantity? And what is the condition of its being obligatory.

Allah Almighty says:

فَسُبِّحْنَ اللَّهَ حِينَ تُمْسُونَ وَحِينَ تُصْبِحُونَ ﴿١٧﴾

“So [give] glory to Allah, when you reach eventide and when ye rise in the morning;” (al Rum 30:17)

We briefly understood the obligation and time of remembrance (of Allah) but what does this remembrance mean? Does it mean *salah*? Which is mentioned in the verse (واقموا الصلوة) ‘and perform the *salah*’ or anything else like to say as (سبحان الله) ‘Blessed is Allah’.

Allah says:

إِنَّ رَبَّكَ يَعْلَمُ أَنَّكَ تَقُومُ أَدْنَىٰ مِنْ ثُلُثَيِ اللَّيْلِ وَنِصْفَهُ وَثُلُثَهُ وَطَائِفَةٌ
مِّنَ الَّذِينَ مَعَكَ وَاللَّهُ يُقَدِّرُ اللَّيْلَ وَالنَّهَارَ عَلِمَ أَن لَّنْ نَّحْصُوهُ
فَتَابَ عَلَيْكُمْ فَاقْرَءُوا مَا تَيَسَّرَ مِنَ الْقُرْآنِ عَلِمَ أَن سَيَكُونُ
مِنْكُمْ مَّرْضَىٰ وَءَاخِرُونَ يَضْرِبُونَ فِي الْأَرْضِ يَبْتَغُونَ مِن
فَضْلِ اللَّهِ وَءَاخِرُونَ يُقْبِلُونَ فِي سَبِيلِ اللَّهِ فَاقْرَءُوا مَا تَيَسَّرَ
مِنْهُ وَاقِيمُوا الصَّلَاةَ وَءَاتُوا الزَّكَاةَ وَقَرِّضُوا لِلَّهِ قَرْضًا حَسَنًا
وَمَا تَقْدِمُوا لِأَنفُسِكُمْ مِّنْ خَيْرٍ تَجِدُوهُ عِنْدَ اللَّهِ هُوَ خَيْرٌ وَأَعْظَمُ أَجْرًا
وَأَسْتَغْفِرُوا لِلَّهِ إِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ ﴿٢٠﴾

Lo! Your Rabb know that you stand forth [to *salah*] nigh two-thirds of the night, or half the night, or a third of the night, and so does a party of those with you. But Allah does appoint Night and Day in due measure. He know that you are unable to keep count thereof. So He has turned to you [in mercy]: read you, therefore, of the Qur'an as much as may be easy for you. He knows that there may be [some] among you in ill-health; others traveling through the land, seeking of Allah's bounty; yet others fighting in Allah's Cause. Read you, therefore, as much of the Qur'an as may be easy [for you]; and establish regular *salah* and give *zakah*; and loan to Allah a Beautiful Loan. And whatever good ye send forth for your souls, you shall find it in Allah's Presence, better and greater, in Reward, and seek you the Grace of Allah: for Allah is Oft-Forgiving, Most Merciful.

(al Muzammil 73:20)

We easily understood the obligation of recitation by this verse. But what does recitation mean? *salah* or recitation of the Qur'an if it means *salah*, then is one *rak'at* sufficient? If one *rak'at* (bowing) is sufficient, then how one has to offer this one *rak'at*?

Allah Almighty says:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا ارْكَعُوا وَاسْجُدُوا وَاعْبُدُوا رَبَّكُمْ وَافْعَلُوا الْخَيْرَ لَعَلَّكُمْ تُفْلِحُونَ ﴿٧٧﴾

“O you who believe bow down, prostrate yourselves, and adore your Rabb; and do well; that ye may prosper.” (al Hajj 22:77)

We understood by this verse that *raku* (bowing) and *sajdah* (prostration) is obligatory. But what is their condition (of performing) and what do they mean *salah* or anything else? If it mean *salah* how many times one has to go for *sajdah* and *raku* in one *rak'at*? Allah Almighty says:

إِنَّ اللَّهَ وَمَلَائِكَتَهُ يُصَلُّونَ عَلَى النَّبِيِّ يَا أَيُّهَا الَّذِينَ ءَامَنُوا صَلُّوا عَلَيْهِ وَسَلِّمُوا تَسْلِيمًا ﴿٥٦﴾

“Allah and His Angels send blessings on al-Nabiyy: O you that believe! Send your blessings on him, and salute him with all respect.” (al Ahzab 33:56)

What does the *salah* mean in this verse? Does it mean the same *salah* which is obligatory on us? Or it is anything else? If it is not *salah* then what is its meaning when imputed to Allah and angels?.

Allah Almighty says:

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِنَّ كَثِيرًا مِّنَ الْأَحْبَارِ وَالرُّهْبَانِ لَيَأْكُلُونَ أَمْوَالَ النَّاسِ بِالْبَاطِلِ وَيُصْذَوْنَ عَنِ سَبِيلِ اللَّهِ وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ ﴿٣٤﴾﴾

O you who believe! There are indeed many among the priests and anchorites, who in falsehood devour the substance of men and hinder [them] from the Way of Allah. And there are those who bury gold and silver and spend it not in the Way of Allah: announce unto them a most grievous penalty. (al Taubah 9:34)

It is understood by this verse that storage of wealth, and not to spend it in the way of Allah is unlawful. But what does treasure (*kazn*) mean in contrast to (*infaq*) ‘spending’? Does it mean the spending of whole wealth (as the *Sahabah* had thought during the revelation of this verse) or the spending of some of the

wealth? If it means the consumption of some of the wealth then what is its quantity?

Allah Almighty says:

وَأَتِمُّوا الْحَجَّ وَالْعُمْرَةَ لِلَّهِ فَإِنْ أُحْصِرْتُمْ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ
وَلَا تَحْلِقُوا رُءُوسَكُمْ حَتَّى يَبْلُغَ الْهَدْيُ مَحَلَّهُ فَمَنْ كَانَ مِنْكُمْ
مَّرِيضًا أَوْ بِهِ أَذًى مِّن رَّأْسِهِ فَفِدْيَةٌ مِّن صِيَامٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ
فَإِذَا أَمِنْتُمْ فَمَن تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ
فَمَن لَّمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ فِي الْحَجِّ وَسَبْعَةٍ إِذَا رَجَعْتُمْ
تِلْكَ عَشْرَةٌ كَامِلَةٌ ذَلِكَ لِمَن لَّمْ يَكُنْ أَهْلُهُ حَاضِرِي الْمَسْجِدِ الْحَرَامِ
وَاتَّقُوا اللَّهَ وَأَعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿١٦٦﴾

And complete the *hajj* or '*umrah* in the service of Allah, but if you are prevented [from completing it], send an offering for sacrifice, such as ye may find, and do not shave your heads until the offering reaches the place of sacrifice. And if any of you is ill, or has an ailment in his scalp, [necessitating shaving], [he should] in compensation either *sawm*, or feed the poor, or offer sacrifice; and when you are in peaceful conditions [again], if any one wishes to continue the '*umrah* on to the *hajj*, he must make an offering such as he can afford, but if he cannot afford it, he should *sawm* three days during the *hajj* and seven days on his return, making ten days in all. This is for those whose household is not in [the precincts of] the Sacred Mosque, and fear Allah, and know that Allah, is strict in punishment.

(al Baqarah 2:196)

We understood by this verse that performing of *hajj* and '*umrah* is obligatory (for seeking the pleasure of Allah) but what do they mean? Are they those rituals and traditions which the people of 'Arab were performing in the period of ignorance or any other thing, if it is not so, then how to perform them? And how many times are they obligatory during the life time.

Allah Almighty says:

الَّذِينَ آمَنُوا وَلَمْ يَلْبِسُوا إِيمَانَهُمْ بِظُلْمٍ أُولَٰئِكَ لَهُمُ الْأَمَنُ وَهُمْ
مُهْتَدُونَ ﴿٨٧﴾

“It is those who believe and confuse not their beliefs with wrong, that are [truly] in security, for they are on [right] guidance.” (al An‘am 6: 82)

What does the (*zulum*) ‘persecution’ mean in this verse which Allah has declared as a condition for attainment of peace and guidance? Does it mean persecution or anything else if other wise what it mean then?

Allah Almighty says:

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جِزَاءً بِمَا كَسَبَا تَكَدُّلاً مِّنَ اللَّهِ
وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٣٨﴾

“As to the thief, male or female, cut off his or her hands: a punishment by way of example, from Allah, for their crime: and Allah is Exalted in Power. Full of Wisdom.” (al Ma’idah 5: 38)

We understood by this verse that amputation of hand of every thief is obligatory. But what type of theft it mean which makes the cutting of hand unavoidable? Does it mean the literal meaning of theft with all its kinds? Does it mean any other thing? If it mean otherwise then what is that? What are its conditions? What is the minimum course on which the hand of thief will be cut off? Is it from the joint of elbow or joint of wrist from which hand shall be cut off? Does it include every kind of theft? Only Ahadith can answer all these questions.

Is it possible that Allah Almighty held us responsible for such commandments, which are ambiguous and made us unaware about their meaning? One cannot ascribe such ambiguity to Allah.

All those things which are briefly mentioned in the Qur’an we can not understand them by our intellect alone. He made us responsible only when he sent his Rasul to define and explain the Quranic verses so that people can act upon them.

It is a fact that brief (ambiguous) commandments have been mentioned in the Qur’an. If we were left on only those commandments, then we would not have known how to practice upon them?

It is necessary to refer to such elucidations in these matters which are narrated from Rasul-Allah ﷺ.

Ibn ‘Abd al Bir has reported from Awza‘i and he has narrated from Hasan Ibn ‘Atiyyah, he said that *wahy* was revealed upon Rasul-Allah ﷺ, and Jibril had

brought Sunnah to him which were expounding them. It is narrated by Abu Daw'ud in *Marasil* and Baihaqi has narrated it in *Madhkal* with different words.¹²⁸

Awza'i says, it is because Sunnah defines the Qur'an (i.e. explanation and elucidation of the Qur'an is done by the Sunnah), and Qur'an hasn't come as the decider of Sunnah, this saying is narrated by Awza'i from Yahya Ibn Kathir and Makhul they said: Sunnah is more needed for the elucidation of the Qur'an than the elucidation of Sunnah by the Qur'an. What they mean is that Sunnah expounds and annotates the Qur'an and makes clear the meaning of it.

Fadal Ibn Ziyad Baghdadi¹²⁹ says that Ahmad Ibn Hanbal was questioned about the narration that Sunnah is settler of the Qur'an, then I heard him saying I don't dare to say this but I will definitely say that, the Sunnah elucidates and expound the Qur'an.

al Akai has narrated from Ahmad Ibn Hanbal in *al Sunnah* that he said Sunnah means before us the signs of Rasul-Allah ﷺ. Sunnah is commentary of the Qur'an and its status as the evidence has been proved by the Qur'an.

Maqdisi has narrated from 'Abd al Rahman in *al Hujjah* that he said: man is needier of Ahadith than eating and drinking because Ahadith expounds the Qur'an. It is because, there are both *nasikh* (abrogator) and *mansukh* (abrogated) types of verses in the Qur'an, and it is necessary for diligent scholars to know every one of them.

If the argument by the Sunnah will not be declared as correct then definitely we will practice upon *nasikh* and *mansukh* or will leave the both or without knowing which is *nasikh* verse in them, shall practice upon one of them and all these conditions are false.

Imam Ahmad has compiled a book on the topic of 'obedience to Rasul'in which he has refuted the stand of that person who used to present apparent verses to oppose the Sunnah and its status as the source of *Shari'ah* we think it expedient to quote here gist from Ibn al Qayyim's book regarding the said matter.¹³⁰

Imam Ahmad says in the preface of his book, Allah, whose praises are lofty and exalted and whose names are sacred, sent Muhammad ﷺ with the guidance and true religion so that he will dominate it over all religions, even though the polytheists dislike it, and revealed His Book on him which is His objective and deputed speaker of it i.e. its explicit and implicit, specific and common, *nasikh* and *mansukh* and what ever is the objective of the Book, Rasul-Allah ﷺ elucidated and explained that since, Rasul-Allah ﷺ was explainer of the Qur'an and *Sahabah* whom Almighty had liked for His Rasul and elected them for him, are witness to

this, as they directly got knowledge from Rasul-Allah ﷺ they were more knowledgeable than those who came after his demise. Jabir says Rasul-Allah ﷺ has been among us and the Qur'an was revealed upon him and he interpreted it by his sayings and deeds.

Sixth evidence: two kinds of the Sunnah

Sunnah is of two types. *wahy* and which is like *wahy* whatever Rasul-Allah ﷺ said, did and approved is *wahy* whether it was revealed for general propagation or not.

As far as first type is concerned, it is categorically *wahy* Rasul-Allah ﷺ is impeccable from mistake and error in it. As we know, 'ulama call it as *wahy jalli* (explicit revelation).

Now, either the revelation of this *wahy* might have been on him in words, who would have confirmed it being the *wahy* or its revelation might not have been with the words but in meaning only.

If it is revealed in words, then its objective is worship and (without any dilly dally it has to be accepted) and it is beyond the human capacity to present even the single verse like it. If Rasul-Allah ﷺ directly attributes words to Allah it is called Hadith *qudsi*. According to common *maslak* (school of thought) words of Ahadith *qudsi* are revealed from Allah upon Muhammad, there is no doubt in its being as *wahy* because he informs us about the message of Allah by this, like, he says: 'Allah the Rabb said this' and this information is by he who is immaculate from telling lie, thus it is obvious that Hadith *qudsi* is word of Allah, as it is evident that the Qur'an is the word of Allah.¹³¹

Allah Almighty says:

وَمَا يَنْطِقُ عَنِ الْهَوَىٰ ۚ إِنْ هُوَ إِلَّا وَحْيٌ يُوحَىٰ ﴿٤﴾

“Nor does he say [aught] of [his own] desire. It is no less than inspiration sent down to him:”

(al Najam 53:3, 4)

Allah Almighty says:

وَإِذَا تُلِيَتْ عَلَيْهِمْ آيَاتُنَا بَيِّنَاتٍ قَالَ الَّذِينَ لَا يَرْجُونَ لِقَاءَنَا أَتُتُّ بِقُرْءَانٍ غَيْرِ هَٰذَا أَوْ بَدِّلَهُ قُلْ مَا يَكُونُ لِي أَنْ أُبَدِّلَهُ مِنْ تِلْقَآئِي نَفْسِي ۚ إِنْ أَتَّبِعْ إِلَّا مَا يُوحَىٰ إِلَيَّ ۖ إِنِّي أَخَافُ إِنْ عَصَيْتُ رَبِّي عَذَابَ يَوْمٍ عَظِيمٍ ﴿١٥﴾

But when Our Clear Signs are rehearsed unto them, those who rest not their hope on their meeting with Us,

say: Bring us a Reading other than this, or change this,
 say: It is not for me, of my own accord, to change it: I
 follow naught but what is revealed unto me: if I were to
 disobey my Rabb, I should myself fear the Penalty of a
 Great Day [to come]. (Yunus10:15)

Allah the Exalted says:

وَلَوْ لَا فَضْلُ اللَّهِ عَلَيْكَ وَرَحْمَتُهُ لَهَمَّت طَآئِفَةٌ مِّنْهُمْ
 أَن يُضِلُّوكَ وَمَا يُضِلُّونَ إِلَّا أَنفُسَهُمْ وَمَا يَضُرُّونَكَ مِن شَيْءٍ
 وَأَنزَلَ اللَّهُ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ وَعَلَّمَكَ مَا لَمْ تَكُن تَعْلَمُ وَكَانَ
 فَضْلُ اللَّهِ عَلَيْكَ عَظِيمًا ﴿١١٣﴾

But for the Grace of Allah to you and His Mercy, a
 party of them would certainly have plotted to lead you
 astray. But [in fact] they will only lead their own souls
 astray, and to you they can do no harm in the least. For
 Allah has sent down to you the Book and *hikmah* and
 taught you what you knew not [before]: and great is the
 Grace of Allah unto you. (al Nisa 4: 113)

Allah the Exalted says:

لَا تَحْزَنْ بِهِ لِسَانُكَ لِنَتَّعِجَلَ بِهِ ﴿١٦﴾ إِنَّ عَلَيْنَا جَمْعَهُ وَقُرْآنَهُ ﴿١٧﴾
 فَإِذَا قَرَأْتَهُ فَاتَّبِعْ قُرْآنَهُ ﴿١٨﴾ ثُمَّ إِنَّ عَلَيْنَا بَيَانَهُ ﴿١٩﴾

Move not your tongue concerning the [Qur'an] to
 make has therewith. It is for Us to collect it and to
 promulgate it: But when We have promulgated it, follow
 you its recital [as promulgated]: Nay more, it is for Us to
 explain it [and make it clear]. (al Qiyamah 75: 16-19)

Hafiz Sayuti mentioned that Imam Shafi'i and Baihaqi has narrated from
 Tawus that Rasul-Allah ﷺ said:

I make lawful only that thing which is lawful in the
 Book (i.e. the Qur'an) and make unlawful only that thing
 which Allah has made unlawful in His Book. Imam
 Shafi'i says, it is *munqat'* narration, Rasul-Allah bids
 and forbids according to the revelation and it was made
 obligatory on him to follow whatever is revealed upon
 him. We bear witness that he followed the same and in

such matters about which *wahy* was not sent down, Allah Almighty through *wahy* made it obligatory to follow his Sunnah. Whosoever accepts them (Sunnah) from him, he will accept it due to its being obligatory.¹³²

Allah Almighty says:

مَا آفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٥٩﴾

What Allah has bestowed on His Rasul [and taken away] from the people of the townships, belongs to Allah and to Rasul and to kindred and orphans, the needy and the wayfarer; in order that it may not [merely] make a circuit between the wealthy among you. So take what al Rasul assigns to you, and deny yourselves that which he withholds from you. And fear Allah; for Allah is strict in Punishment. (al Hashr 59:7)

Baihaqi says, if the words *kitab-al-Allah* (Book of Allah) are correct in the Hadith, then, these words (Book of Allah) covers things which have been revealed upon him through *wahy*, and then the *wahy* revealed upon him is of two types, recited *wahy* and un-recited *wahy*. The argument which Imam Shafi'i has presented, similar argument was presented by 'Abd Allah Ibn Mas'ud i.e. whosoever will accept the actions and sayings of Rasul-Allah ﷺ, he will do it on the basis of orders of the Qur'an, the Qur'an has repeatedly made obedience to Rasul-Allah ﷺ obligatory.¹³³

These commandments are also pertaining to this fact that all such sayings and actions which Rasul-Allah ﷺ has performed on the basis of his *ijtihad* and Allah Almighty gave tacit approval for them are also *hujjah* majority of Hanfi scholars call it as *wahy batin* (implicit revelation).

Seventh evidence: *Ijma'*

When we pursue and search the signs from the period of rightly guided *khulfa* up to the present age and the conditions of those who came after them, we don't find any *Imam* among the reputed *a'imah*, who denies the *hujjah* of Sunnah and did not consider it as the authentic source of the *Shari'ah* and deny the practising on it. But on the contrary, we find them firm holders of the Sunnah,

preserving it, opting its way, and they used to preach it to others and did not like those persons who were neglecting the Sunnah of Rasul-Allah ﷺ if they knew any Hadith, they used to narrate it to others.

Their consensus on the authenticity of the Sunnah has been established and they have unanimously agreed upon it. Their hearts are united on it. The dispute which occurred in this matter was only in two things, first the satisfaction about the authenticity of Hadith concerned, whether its attribution to Rasul-Allah ﷺ is proved and lastly does this Hadith is related to the matter under discussion.

Imam Shafi'i says,¹³⁴ people are unanimous about this issue that, before whom the Sunnah of Rasul-Allah ﷺ, become obvious, it is not lawful for him to avoid it because of sayings of other people. He adds, I did not listen about a person, whom people declared as knowledgeable or he imputes himself towards the knowledge, that he differs with this fact that Allah has made it obligatory to obey Rasul-Allah ﷺ, be submissive before his commands.¹³⁵ He further relates I don't know about any *Sahabi* or *tabi'* that Hadith of Rasul-Allah ﷺ was related to him and he did not accept it, did not consider it as the *hujjah*.

Shaikh al Islam Ibn Taimiyyah says,¹³⁶ it should be known for those religious scholars who have reputation among the common people that, it is not possible for any one of them to oppose deliberately any thing from the Sunnah of Rasul-Allah ﷺ, whether small or big he insists that of every man's sayings, some thing can be accepted and something rejected except the sayings of Rasul-Allah ﷺ because acceptance of all his sayings is obligatory.

But, if someone has presented his own opinion while there was a Hadith then, definitely he would have such an excuse due to which he left the Hadith in that condition all excuses may be of three types, first is that he would not have thought that there is a saying of Rasul-Allah ﷺ related the matter concerned. Second is that he would have thought that issue under debate is not meant by this saying. Third is that he would have thought that this saying is *mansukh*.

But some people are there, who claim to be the knowledgeable but deny the authenticity of Sunnah as an authority. But when we search their affairs and unveil their faces, we find them one of the below mentioned three groups.

First group is represented by such a person who is out of the religion and is strange to it. He is not believer but is a hypocrite who conceals his disbelief and expresses the Islam so that he creates the doubts about its fundamental teachings, his aim by doing this, is to deceive and desert the Islam and people of Islam. His sole intention is to demolish the very foundations of Islam and to eradicate its plinth. He fears to oppose Muslims publicly and the Qur'an which is the base of Islam? That is why he adopts another trick that is, to target the authority and

authenticity of the Sunnah. Whose status is that if it were not existing, understanding of the Qur'an would have been impossible and all its laws and commandments would have remained impracticable. In this way, the Qur'an would become like a toy in their hands and they will interpret and expound it according to their desires and wishes. And express the argument by the following verses on their claim.

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ وَلَا طَائِرٍ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَالُكُمْ مَا

فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ ثُمَّ إِلَىٰ رَبِّهِمْ يُحْشَرُونَ ﴿٣٨﴾

There is not an animal [that lives] on the earth, or a being that flies on its wings, but [forms part of] communities like you. Nothing have We omitted from the Book, and they [all] shall be gathered to their Rabb in the end. (al An'am 6:38)

وَيَوْمَ نَبْعَثُ فِي كُلِّ أُمَّةٍ شَهِيدًا عَلَيْهِمْ مِنْ أَنْفُسِهِمْ وَجِئْنَا بِكَ شَهِيدًا

عَلَىٰ هَؤُلَاءِ وَنَزَّلْنَا عَلَيْكَ الْكِتَابَ تِبْيَانًا لِّكُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً

وَبُشْرَىٰ لِلْمُسْلِمِينَ ﴿٨٩﴾

One day We shall raise from all Peoples a witness against them, from amongst themselves: and We shall bring you as a witness against these [your people]: and We have sent down to you a Book explaining all things, a Guide, a Mercy, and Glad Tidings to Muslims.

(al Nahal 16: 89)

It is the truth but they want to fulfill their evil designs by it. Indeed, the Qur'an comprehends the whole *Shari'ah* and is the foundation of laws and commandments of *Shari'ah*.

Baihaqi has narrated from 'Uthman in *Madkhal* that he said, a person came to Imam Malik and asked about an affair, he said, Rasul-Allah ﷺ has said this and this about this affair, what your own opinion is? He asked thereupon Imam Malik quoted the following verse:

لَا تَجْعَلُوا دُعَاءَ الرَّسُولِ بَيْنَكُمْ كَدُعَاءِ بَعْضِكُمْ بَعْضًا قَدْ يَعْلَمُ اللَّهُ

الَّذِينَ يَتَسَلَّلُونَ مِنْكُمْ لِوَاذًا فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ

تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ ﴿١٣﴾

Deem not the summons of al Rasul among yourselves like the summons of one of you to another: Allah doth know those of you who slip away under shelter of some excuse: then let those beware who

withstand his [Rasul's] order, lest some trial befall them,
or a grievous Penalty be inflicted on them.

(al Mu'minun 23: 63)

Ibn 'Abd al Bir has narrated that Imam Malik said: there can be only two things by which decision can be made among the people, what is in the Book of Allah and what is in the Sunnah. Once a matter is decided by the said sources it is obligatory to accept the verdict, the decision in which a person exerts his diligence, may be familiar to truth, other than these two conditions (the Qur'an and the Sunnah) there is hardship in third thing. It is more suitable and appropriate to derive the solutions from the primary sources of Islam.¹³⁷

Ibn 'Abd al Birr has narrated that Ibn Shibrimah used to say:

ما في القضاء شفاعه لمخاصم عند اللبيب ولا لتقيه العالم

The recommendation for disputing group in making
a decision doesn't avail before any wise and
knowledgeable jurist.

هون على اذا قضيت بسنه اوبالكتاب يرغم انف الراغم

It is very easy for me to make decision according to
the Book of Allah and Sunnah, whether it displease any
one.

وقضيت فيما لم اجدا ثرا به بنظائر معروفه ومعالم

If I don't find any [clue or impression] then I decide
by footsteps and foot impressions.

It is reported from Rabi'a that Imam Shafi'i has said: we can not give up Hadith for analogy (*qiyas*) as there is no room for *qiyas* in place of Sunnah. Ibn al Qayyim has mentioned it. Taqiyy al Din Subki has quoted the saying with these words 'There is no way for *qiyas* besides the Sunnah.'

Imam Shafi'i said, there is no way of success without the adherence to Rasul-Allah ﷺ, Qadi 'Ayyad has mentioned it in *al Shifa*.¹³⁸

Qatadah says, by Allah! Whosoever turned back from the Sunnah of Rasul-Allah ﷺ, got ruined 'adopt the Sunnah and remain away from *bid'ah*, adopt the *fiqh* and abstain yourself from doubts'. Imam Ahmad has narrated it in *al Zuhd*.

'Urwah Ibn Zubair states, adopt Sunnah, adopt the Sunnah because Sunnah is the basement of religion Ibn 'Abd al Birr and Baihaqi has narrated the same.¹³⁹

Imam Shafi'i says, saying of no one is *hujjah* against the saying of Rasul-Allah ﷺ; it is narrated by Ibn al Qayyim. Imam Shafi'i says in his book *Ikhtilaf Malik* (his disagreement with Imam Malik). If the order of the Book (i.e. the

Qur'an) and the Sunnah is available whosoever finds it none of his excuses are acceptable but to surrender before it.

Za'farany narrates from Imam Shafi'i that, if you find any Sunnah of Rasul-Allah ﷺ follow it and don't pay your heed to the saying of anyone else. Abu Na'im has narrated it in *al Hilyah*.¹⁴⁰

Doubts of *Munkir-i-Hujjiat Sunnah* (deniers of authority of the Sunnah) and answer to them.

Denial of Sunnah is basically the denial of the Qur'an itself, as Islam is identified by the Qur'an and the Sunnah. In order to understand the Islam, these two are vehemently needed without these two sources Islam can neither be understood nor be identified. The Sunnah and the Qur'an, both are *hujjah* the Qur'an is text and the Sunnah its commentary. There is some sort of ambiguity at some places in the Qur'an and Sunnah is its elucidator and expounder. If Sunnah were not hold as the elucidator and expounder of the Qur'an, then every person would have stated its meaning by his own reason and opinion and opinion of every one is not same. In this way one person could derive from any verse his own meaning, a second one could derive his own and so on, which would have resulted in a great confusion and the Qur'an would become a toy of children. In fact the Qur'an is a comprehensive, whose practical shape is not possible without the comprehensive teachings of Rasul-Allah ﷺ, and the teachings of Rasul-Allah ﷺ, are known as Sunnah. To believe in the Sunnah is to believe in the Qur'an and denial of Sunnah is actually the denial of the Qur'an.

Hafiz Ibn Kathir says:

عليك بالسنة فانها شارحة للقرآن و موضحة له

“Adopt Sunnah strictly, because it is the elucidator and commentator of the Qur'an.”¹⁴¹

Imam Shafi'i says:

كل ما حكم به رسول الله ﷺ فهو مما فهمه من القرآن قال الله تعالى
انا انزلنا اليك الكتاب بالحق لتحكم بين الناس بما اراك الله

Whatever decision has been made by Rasul-Allah ﷺ, he made it by understanding the Qur'an. Allah, the Exalted says in the Qur'an that we have revealed the Book (i.e. the Qur'an) upon you with truth, so that you decide among the people by what Allah demonstrated and comprehended you.¹⁴²

That will be his saying or deed and it is known as Sunnah. This decision of Rasul-Allah ﷺ, is actually the Divine decision (*من يطع الرسول فقد اطاع الله*) ‘whosoever obeys al-Rasul, indeed obeyed Allah’.

Ibn al Qayyim says:

When we study Ahadith we find only three types of Ahadith.

- 1 Some Ahadith are those in which same order is mentioned as has been stated in the Qur’an.
2. In some Ahadith, meaning of some ambiguities or commentary of any word is mentioned in both the types; no particular meaning of obedience to Rasul-Allah ﷺ is understood. If these Ahadith did not exist, even then they would have been compulsory to obey due to being mentioned in the Qur’an, hence it is recorded under (*اطيعوا الله*) ‘obey the Allah’.
3. Some Ahadith in which such commandments of obligation and unlawful are mentioned on which the Qur’an is silent, it is for in believing such commandments, the order of (*اطيعوا الرسول*) ‘obey al-Rasul’ has been given. If this third type will not be compulsory to obey then the particular obedience to Rasul-Allah ﷺ is not proved in any way. In short the whole verse can only be practiced when all three types will be obeyed. The Qur’an has declared the permanent obedience to Rasul-Allah ﷺ as second shape of obedience to Allah. (*من يطع الرسول فقد اطاع الله*) ‘the obedience to al-Rasul is the obedience to Allah.’¹⁴³

Rasul-Allah ﷺ said:

٦٧٤٤ حدثنا إسماعيل بن عدي عن أبيه عن أبي هريرة عن النبي ﷺ قال: *دعوني ما ترككم إنما هلك من كان قبلكم بسؤالهم واختلافهم على أنبيائهم فإذا نهيتكم عن شيء فاجتنبوه وإذا أمرتكم بأمر فأتوا منه ما استطعتم* ❦

Abi Hurairah narrated that, al-Nabiyy ﷺ said: leave me as I leave you, for the people who were before you have ruined because of their questions and their differences over their *Anbiya*’. So when I enjoin any order perform it as much as you can, and when I stop you from anything, so abstain from that.¹⁴⁴

Due to the unawareness of the status of Sunnah, the stand which heretic people hold regarding the Sunnah, are of two types.

a) People who deny all kinds of Ahadith and accept the Qur’an only.

b) People who deny *khabr-i-Ahad* (solitary narrations) only.

The perspective of denying every kind of Sunnah, or solitary narration or the Ahadith having independent status (except the Qur'an) its history is very ancient, Khwariji, Jahmiyah, Mu'tazillah and Shi'i denied such Ahadith only on the account that they are not according to the reason or refused those Ahadith which were against their fabricated perspectives. The first person who criticized them and their baseless arguments was Muhammad Ibn Idris Shafi'i, he highlighted their defects and faults and exposed their self created doubts. Imam Shafi'i established a special chapter in the part *Jima al'Ilm* in his book *kitab al Umm*. In this chapter Imam Shafi'i has mentioned his argument with a man who claimed to be knowledgeable person of his school of thought. This so called scholar and his religious mates were having the perspective of rejection of *hujjiat Hadith* but Imam Shafi'i devastated their doubts.¹⁴⁵

These perspectives had been hidden for centuries due to the fear of reputed scholars. But in 13th century these false perspectives appeared again in Pakistan and India since in Pakistan and India a sect, denying *hujjiat Hadith* emerged known as *Ahl Qur'an* and these perspectives penetrated in Egypt and Libya from India.

Dr. Mustafa al Saba'i has mentioned in the chapter 2, lesson 4 of his book *al Sunnah wa Makanatuha* that:

Those people of our era who are not interested in '*Ilm Hadith*' some of them are denying the Hadith. In two editions of Sayyid Rashid Rada's *Majallah al Manar* two articles of Dr. Taufiq Sidqi have been published in which, this perspective was announced under the topic of (الاسلام هو القرآن وحده) 'Islam is only the Qur'an'.¹⁴⁶

Dr. Mustafa al Siba'i has discussed the doubts published in these articles and refuted them. The pioneer of this perspective in this period is Libyan leader Mu'amar Qadhafi he has announced this heresy of denial Sunnah and asked people to believe only in the Qur'an alone. He imposed this heretic and infidel perspective by force and compulsion in his country and gutted the books of Ahadith and Sunnah he also imposed ban on the study of Hadith and *fiqh*.

Maulana Maududi's views about the denial of Hadith:

A new life has been infused in the frame of mischief of denial of Hadith in the beginning of 13th century; this mischief had emerged in Iraq and was brought up to youth in India. This mischief was commenced in India by Sir Sayyid Ahmad Khan and Maulvi Charag 'Aliyy and then its leader became 'Abd Allah Chakdalvi after him it was lead by Maulvi Ahmad Din Amritsari and then Maulvi Aslam

Jirajpuri came on its forefront and ultimately Ghulam Ahmad Pervaiz projected it, who reached at the apex of astray. Maulana Maududi has written a book namely *Sunnat ki Ayni Hasiyat* on this issue.

It is the proved fact by reason and narration that whosoever denied the Sunnah of Rasul-Allah ﷺ, he committed *kufur* (disbelief, infidelity) with Allah and invented a new creed against the consensus of *ummah* in both *usul* and *furu'*.¹⁴⁷

Doubts of *Munkirun-al-Hadith*

Deniers of Hadith say that elucidation of every thing is mentioned in the Qur'an; therefore, there is no need of any other thing except Qur'an. Allah, the Exalted says:

وَيَوْمَ نَبْعَثُ فِي كُلِّ أُمَّةٍ شَهِيدًا عَلَيْهِمْ مِّنْ أَنْفُسِهِمْ وَجِئْنَا بِكَ شَهِيدًا
عَلَى هَٰؤُلَاءِ وَنَزَّلْنَا عَلَيْكَ الْكِتَابَ تِبْيَانًا لِّكُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً
وَبُشْرَىٰ لِلْمُسْلِمِينَ ﴿٨٩﴾

One day We shall raise from all people a witness against them, from amongst themselves: and We shall bring you as a witness against these [your people]: and We have sent down to you a Book explaining all things, a Guide, a Mercy, and Glad Tidings to Muslims.

(al Nahal 16: 89)

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ وَلَا طَائِرٍ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَلُكُمْ مَا
فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ ثُمَّ إِلَىٰ رَبِّهِمْ يُحْشَرُونَ ﴿٣٨﴾

There is not an animal [that lives] on the earth, or a being that flies on its wings, but [forms part of] communities like you. Nothing have We omitted from the Book, and they [all] shall be gathered to their Rabb in the end.

(al An'am 6: 38)

The answer to this doubt is that Sunnah is the commentary and exegesis of the Qur'an sometimes it gives permanent order. Allah Almighty says:

بِالْبَيِّنَاتِ وَالزُّبُرِ وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ
وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿٤٤﴾

“[We sent them] with clear signs and Scriptures and We have sent down unto you [also] the Message; that thou may explain clearly to men what is sent for them, and that they may give thought.” (al Nahal 16: 44)

The practice upon the Sunnah is actually the practice upon the Qur'an, and its explanation is to be obeyed sometimes it expounds the meaning and aim of the Quranic verses. It is impossible to understand the Qur'an without it, and it will not be possible to practice upon the Qur'an by avoiding the Sunnah. Like in the Qur'an, there is categorical command about performing *salah* and Sunnah expelled the women, who are in the period of menstruation from it, it is by the Sunnah that quantity of *rak'at* and condition of performance is confirmed. There are general commandments of inheritance among Muslims in the Qur'an, but it is the Sunnah which debarred the killer from the inheritance of a person assassinated.

Answer to their wrong derivation from the said verses:

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ وَلَا طَائِرٍ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَلُكُمْ مَا
فَرَّطْنَا فِي الْكِتَابِ مِنْ شَيْءٍ ثُمَّ إِلَىٰ رَبِّهِمْ يُحْشَرُونَ ﴿٧٨﴾

There is not an animal [that lives] on the earth, or a being that flies on its wings, but [forms part of] communities like you. Nothing have We omitted from the Book, and they [all] shall be gathered to their Lord in the end. (al An'am 6:38)

Meaning of this verse presented by deniers is that here the Book means Divine tablet whose proof is the context of the verse in the beginning of the verse. (وما من من شيء).

If we suppose that here the Book means only the Qur'an then its answer is the same as is of first doubt i.e. practising upon the Sunnah is basically the practising upon the Qur'an the word Book includes both the Sunnah and the Qur'an.¹⁴⁸

Deniers of the Ahadith present another verse in their support, the Qur'an says:

إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ ﴿٩﴾

"We have, without doubt, sent down the Message; and We will assuredly guard it [from corruption]." (al Hijr 15: 9)

According to them it means that except the Qur'an, nothing (Sunnah) is safe.

Answer to their illogical derivation is that the protection of *dhikr* which has been promised by Allah, does not mean the Qur'an only but it include whole *Shari'ah* and religion of Allah with which He sent His Rasul and *Shari'ah* and religion are common and includes both The Qur'an and the Sunnah Quranic verse is proof of our claim.

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رِجَالًا نُوْحِيْ اِلَيْهِمْ فَاَسْأَلُوْا اَهْلَ الذِّكْرِ
اِنْ كُنْتُمْ لَا تَعْلَمُوْنَ ﴿٤٣﴾

“And before you also [Rusul] We sent were but men,
to whom We granted inspiration: if ye know not, ask to
those who possess the Message.” (al Nahal 16:43)

Men of *al dhikr* (*Shari'ah*) means the people possessing the knowledge of *Shari'ah*, there is no doubt that as Allah has protected the Qur'an, likewise He has preserved the Sunnah also. It were *Sahabah* who compiled and preserved the Qur'an under the supervision of Rasul-Allah ﷺ and they laid the foundation for the preservation of the Sunnah also, and after them their successors and followers preserved it systematically then came the scholars who gave it comprehensive shape of knowledge thus preserved it once for all we have discussed the said issue in detail in chapter 2.

All *muhaddithun* among which Imam Shafi'i is on the top, are unanimous that Sunnah as a whole is preserved, though any religious scholar possess more knowledge of Sunnah in comparison to other. If whole stock of the scholars will be gathered, whole treasure of Ahadith and Sunnah will get assembled and if the knowledge of every scholar will be kept separate then some of the Ahadith and *Sunan* can not be gathered. However those Ahadith and *Sunan* which we can not get from one place, will be available at the other place.¹⁴⁹

Indeed, no Ahadith of Rasul-Allah ﷺ, about *salah*, *zakah*, *sawm*, *hajj*, and other obligations and commandments of lawful and unlawful, could have been lost, nay, his all sayings, actions and approvals have been assembled and compiled by various means. Allah the Exalted says:

حُرِّمَتْ عَلَيْكُمْ اَلْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيْرِ وَمَا اُهِلَّ لِغَيْرِ اللّٰهِ بِهِ
وَالْمُنْخَنِقَةُ وَالْمَوْقُوْذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيْحَةُ وَمَا اَكَلَ السَّبْعُ اِلَّا مَا

ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَمِ ذَٰلِكُمْ فِسْقٌ
 الْيَوْمَ بَيَّسَ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا تَخْشَوْهُمْ وَاخْشَوْنِ الْيَوْمَ
 أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَتِمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمُ الْإِسْلَامَ دِينًا
 فَمَنِ اضْطُرَّ فِي مَخْمَصَةٍ غَيْرَ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿٣﴾

Forbidden to you [for food] are: dead meat, blood, the flesh of swine, and that on which has been invoked the name of other than Allah; that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by being gored to death; that which has been [partly] eaten by a wild animal; unless ye are able to slaughter it [in due form]; that which is sacrificed on stone [altars]; [forbidden] also is the division [of meat] by raffling with arrows: that is impiety. This day have those who reject Faith given up all hope of your religion: yet fear them not but fear Me. This day have I perfected your religion for you, completed My favour upon you, and have chosen for you Islam as your religion. But if any is forced by hunger, with no inclination to transgression, Allah is indeed Oft-Forgiving, Most Merciful.

(al Ma'idah 5: 3)

Hafiz Ibn Hazm comments: None among the lexicographers and 'ulama of *Shari'ah* denies the fact that the revelation sent down by the Allah is called *al dhikr* therefore, certainly all the *wahy* is preserved by the grace of Allah. Its responsibility of protection has been taken by Allah, thus is warranted and guaranteed that nothing will get wasted and nothing of it can be changed or amended and not a single evidence can be presented on its being false.¹⁵⁰

Contradictions of *Munkirun-al-Hadith*

It is really ironical that a man simultaneously can believe in the authority of Sunnah but denies the preservation of Sunnah. The question is that if Sunnah is not authority, to discuss its preservation is out of question, as it is proved by the verses of the Qur'an that Sunnah is authority, then it will have to be believed that Sunnah is preserved how strange is it that we do believe in the preservation of the Qur'an but express the doubt about the protection of elucidator (Sunnah) of the Qur'an? Only an unreasonable person can hold this view that word (*Salah*) is preserved but its meaning is unpreserved and unsafe. In fact practising upon the word (*Salah*) is for wide even it is impossible to understand it only on the basis of mere language literal meaning of (*Salah*) is to shake the buttocks, and then will

(*Salah*) be practiced upon by shaking the buttocks if the answer is in negation, then how one can perform it? It is obvious that firstly its meaning will have to be known according to the will of Allah, but this meaning is not mentioned in the Qur'an but its meaning is known by the utterance of Rasul-Allah ﷺ, as (صَلُّوا كَمَا رَأَيْتُمُونِي أَصْلِي) 'offer *salah* as you see me offering'. The order of (*Salah*) can be practised according to the will of Allah only after discovering its meaning, i.e. it mean that *salah* which contain *qiyam* 'standing before Allah' *raku* 'bowing' and *sajdah* 'prostrating' etc similarly, other commandments of the Qur'an about *zakah*, *sawm* and *hajj* etc are possible to be acted upon only by the Sunnah of Rasul-Allah ﷺ.

Prudent criticism of *Shaikh al Hadith* Maulana Muhammad Isma'il Gujranwala to *Munkirun-al-Hadith*

Though the authenticity of some Ahadith has been denied by some heretic sects in ancient times however, the initiation of denial of Hadith in sub-continent is from those scholars who wanted to be leaders and who are the products of English education and English authorities*. Except Maulvi 'Abd Allah Chakdalvi, they all were accustomed of achieving Islamic learning through encyclopaedia (in other words, they used to study Islam through the eyes of Orientalists). They think it extremely research based to learn the history of the Qur'an and biography of the Muhammad by Mr. Nicholson, for them the objections of Goldziher on the compilation of Ahadith are scientific and research based, which are based on correct narrations and historical realities. Most of them are those who did not achieve the Islamic sciences from Islamic sources but learned the Islamic knowledge from the European Orientalists and English language, those who for the translation of the Qur'an, believe (depend) on Mr. William Muir, if they deny the Ahadith, no body will stop them because editors of (طُلُوعُ الْإِسْلَامِ) *thu* 'Islam Inayat al Allah Mashriqi and Maulvi Ahmad Din Amritsari and other all are products

*It may be possible that this intrigue of denial of Hadith motivated Ghulam Ahmad Qadyani to claim the *Nubbuwah*. Because, after the new fabricated Nabiyy. The importance and beneficence of Hadith of Rasul-Allah ﷺ, will get vanished automatically and the way for making the Qur'an as victim will become easy for which the deniers of Sunnah have been struggling for long period.

of European authorities and in their knowledge the English mode and style is authority. Poor Maulvi ‘Abd Allah was of conservative style of Islamic learning’s, moreover, the passion of achieving superiority and loftiness had clinked to him which could not get fulfilled due to the inadequate circumstances the trade mentality of Shaikh Muhammad Chasu did not provide the opportunity to Maulvi ‘Adb Allah to work under his own aspirations. By the way, Maulvi ‘Abd Allah was not so intelligent.¹⁵¹

As far as Islam and its teachings are concerned, there is no option but to accept the authenticity of Sunnah and to assert the Hadith. Its status according to teachings of Islam is so important that by whose denial one can nullify only his *iman*, there is no difference in denial of *Nubbuwah* and refusal of sayings of Rasul-Allah ﷺ. *Iman* is embraced over the (physical) body of Rasul-Allah ﷺ but is embraced on his sayings.

Maulana further adds:

Some deniers of Ahadith claimed that we do not deny the Ahadith, as it is the precious asset of history and are sacred historical documents. After understanding the status of *Nubbuwah* its meaning is not only the denial of *Nubbuwah* but also the extreme contempt of Rasul-Allah ﷺ, (Allah forbid), the meaning of this verbal gilding is nothing but that, the status of Rasul-Allah ﷺ, is as the status of Ibn Khaldun, Ibn Jarir, Ibn Kathir and other historians, every person shall deserve the right of criticism and discussion in it and the Rasul-Allah ﷺ would be tablet of historical discussions and the discoveries of discussions and views shall be encompassed on the environment of *Nubbuwah*, Nay as a historian, the atheists of Europe has scattered the best historical assets in the markets of the world what kind of status do the deniers of Islam provide to the *Imam al Anbiya* ﷺ? May the unlimited mercy and countless blessing of Allah be always upon him.

لَا تُخَرِّكْ بِهِ لِسَانَكَ لِتَعْجَلَ بِهِ ۚ

“Move not your tongue concerning the [Qur’an] to make haste therewith.” (al Qiyamah 75:16)

1. Rasul-Allah ﷺ, would try to preserve (the Qur’an) in the same time of revelation of *wahy* so that any word would not be left without preservation,

therefore further added that be satisfied from this apprehension. The responsibility of gathering (compilation) and teaching the Qur'an is on Allah.

2. (ثُمَّ إِنَّ عَلَيْنَا بَيَانَهُ) 'and surely it is upon us to explain it' here, the meaning of verse is none but the expression of aims and this recitation and collection is totally different. The aim of first two things is protection of words of the Qur'an. The aim of (verse: 19) is expression of meaning which is the spirit of *wahy*. If it is not preserved then protection of its words will not be profitable. That is the explanation, which Rasul-Allah ﷺ, gave by his sayings, actions and approvals. (*inna*) 'Indeed' is mentioned with stress prior to (*alaina*) 'over us' and responsibility of explanation took as encompassment on Himself. Now it is to be thought that the explanation whose responsibility Allah Almighty took so strictly. Whether it took place or not? Is preserved or not? It is indicated by the verse that the responsibility of preservation of its explanation has also been taken.

3. If the doubts and suspicions of narrators could make it useless and foresightedness of human learning's unauthentic then what is the benefit of this claim of (ثُمَّ إِنَّ عَلَيْنَا بَيَانَهُ).

4. If the application of this verse: 19 is not on technical Hadith, then where is that explanation in the world? After all it is abdicated (separate) from the syllable being of the Qur'an.

5. If this explanation in essence could not get preserved then what is the benefit of protection of words alone? It is the protection of the meaning which can make words practicable, and protection of words alone can serve no purpose as for as its application is concerned.

6. Besides it, this fact should be also taken into consideration that the Qur'an alone has not been protected its meaning too has been preserved.

﴿٩٧﴾ فَإِنَّمَا يَسَّرْنَاهُ بِلِسَانِكَ لِتُبَشِّرَ بِهِ الْمُتَّقِينَ وَتُنذِرَ بِهِ قَوْمًا لَّدَا

"And We make [the Qur'an] easy in your tongue,
only that you may give glad tidings to the righteous, and
warn therewith the forward folk. (Maryam19:97)

7. 'Language' can mean both Arabic language and sayings of Rasul-Allah ﷺ, in the shape of the Sunnah and the Hadith, both the probabilities are there. In general opinion second probability is preferred, to mean only Arabic language is not good. Here the reference (construction) of language is towards the address of (*ka*) 'you' it is known that hundreds and thousands of people speak Arabic language, what is the benefit of specification and reference (construction). Another beauty of the Qur'an is being in Arabic language, whose mentioning has been commented on other places by the Qur'an.

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنزَلَ اللَّهُ وَإِلَىٰ الرَّسُولِ قَالُوا
حَسْبُنَا مَا وَجَدْنَا عَلَيْهِ آبَاءَنَا أَوَلَوْ كَانَ آبَاؤُهُمْ لَا يَعْلَمُونَ شَيْئًا وَلَا
يَهْتَدُونَ ﴿١٠٤﴾

When it is said to them: Come to what Allah has revealed; come to al Rasul: they say: Enough for us are the ways we found our fathers following. What! Even though their fathers were void of knowledge and guidance?
(al Ma'idah 5:104)

If the language here is supposed as Arabic language then (لام تعليل) 'of cause' in (لتبشّر) 'so that you may pay Glad tiding' will be totally useless, and then there will be no specification of Muhammad ﷺ, nay every men of language can do this. In this way, there will be no particular benefit of sequence of verse.

8. After the confinement of language with the Rasul-Allah ﷺ, it became obvious that, a) Glad tiding for pious and righteous persons b) frightening to quarrelsome and evil doers. It is known that this objective can not be achieved by mere recitation. It needs understanding, comprehension, elucidation, advice and sermon, in which Arabic and non-Arabic are equal. Now if this elucidation and expounding is not authority (*hujjah*), then encompassment with (*innama*) 'indeed' and the order of gladtiding and frightening will be of no use. The whole building of *Nubbuwah* and its objectives shall get demolished perhaps; these deniers have never recited the Qur'an with profound understanding.

وَإِذَا قِيلَ لَهُمْ تَعَالَوْا إِلَىٰ مَا أَنزَلَ اللَّهُ وَإِلَىٰ الرَّسُولِ قَالُوا حَسْبُنَا مَا
وَجَدْنَا عَلَيْهِ آبَاءَنَا أَوَلَوْ كَانَ آبَاؤُهُمْ لَا يَعْلَمُونَ شَيْئًا وَلَا يَهْتَدُونَ ﴿١٠٤﴾

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(al Ma'idah 5:104)

(إلى الرسول) 'towards Rasul' is mentioned in shape of conjunction and it is known that (معطوف) 'conjunctive' and (معطوف عليه) on which 'conjunction is applied' are both permanent and self repugnant. When we say have the money and the land too, then money and land can not be one in this example but both will be separate. Here (إلى الرسول) 'come al-Rasul' can not be meant but the call towards the Sunnah of Rasul-Allah ﷺ, and both are apparently two permanent things and the status of both of them is equal. (أتيت القرآن ومثله معه) 'I have been given the Qur'an and like of that', Rasul-Allah ﷺ is a permanent member of Divine message. When Sunnah of

every Nabiyy and Rasul had been followed by their followers as we have mentioned earlier that only 313 or 315 out of hundred thousand *Anbiya* were given books rest of them were obeyed and followed on the basis of un-recited revelation (*wahy khafi*) then why Sunnah of Rasul-Allah ﷺ should not be followed. Dr. Muhammad Hamid Allah's comments on authority of Sunnah:

The Qur'an has enjoined the Muslim clearly at least at fifteen places that obey Rasul-Allah, (al Nisa 4:59), the more clarified verse than this is (al Nisa 4:80) then these verses and the verses like it exhorts us that in Quranic conception Hadith is not of low rank, nay according to one thing it's status is equal to the Qur'an. Actually the Qur'an and the Hadith is one and the same thing. My meaning will be more obvious to you by an example, let us suppose Rasul-Allah, is alive in these days and any person would appear in the service of Rasul-Allah, and announce the embracing of Islam and after it by addressing the Rasul-Allah, if this un lettered and uncivilized person will say, It is the Qur'an, the word of Allah, I believe in but your saying and Hadith are not necessary to be enacted. Its result will be that soon this person will be expelled from the *ummah* and probably, if 'Umar would be present there, he will drive out his sword from scabbard and request to Rasul-Allah, allow me, and I will cut the neck of this infidel and apostate. In short, to say that Rasul-Allah's sayings are not binding will be considered as rebellion. Thus whatever Rasul-Allah, orders us, its status is same as that of command of Allah whatever difference is in both of them is created due to that the compilation and preservation of the Qur'an had came into practice in one way and compilation of Hadith and the protection by the other.¹⁵²

Deniers of authority of solitary narrations

Solitary narration is that Hadith, which is narrated by one, two or three narrators, whose crux is that, such Hadith number of whose narrators shall not reach that of continuous Hadith is solitary narration. There are two groups of deniers of solitary narration. One group denies the authority of solitary narrations in both beliefs and actions. Second group denies the authority of Hadith based on solitary narrations in beliefs only. Since, without *mutawatir* [Hadith] all are solitary narrations. Whether the narrator is one or ten, technically all will be

solitary narrations. Often religious issues have reached to us through solitary narrations and frequent information from government to general public is conveyed through solitary means if the reliance on solitary narrations will be left then the business and other affairs would get destroyed. If the solitary narrations will become unreliable naturally most means of the information will become unauthentic thus, it will create chaos and confusion in public life. Imam Ibn Taimiyyah says:

ولاريب ان مجرد خبر الواحد الذي لا دليل على صدقه لا يفيد العلم

“It is certain that, if the circumstantial evidences of truth are not present in solitary narration then certain knowledge can not be achieved from it.”¹⁵³

Circumstantial evidence of truth

If the circumstantial evidence is present with the solitary narrations and its chain is correct, narrators are reliable and *ummah* has accepted it. Scholars have not rejected such narrations out rightly they have accepted these narrations. Men of knowledge have served books based on the solitary narrations, and have wrote their commentaries, solved the linguistic complicacies, wrote the footnotes and prefaces for them, In short such narrations have been seen with the sight of reliance.

Ibn Hazm says:

والقسم الثاني من الاخبار ما نقله الواحد من الواحد فهذا اذا اتصل بروايه العدول

الى الرسول الله ﷺ وجب العمل به ووجب العلم بصحته ايضاً

When a solitary narrator reports from other pious solitary narrator and he from Rasul Allah with continuity, then the practice upon it will be obligatory and to believe in its authenticity will also be compulsory.¹⁵⁴

Ibn Hazm further says:

فصح بهذا اجماع الامه كلها على قبول خبر الواحد الثقة عن النبي ﷺ

“Hence it is proved that the whole *ummah* is unanimous on the acceptance and reliability of authentic solitary narrations from al-Nabiyy ﷺ,”¹⁵⁵

وقد ثبت عن ابي حنيفة ومالك والشافعي واحمد وداود وجوب القول بخبر

الواحد وهذا حجه على من قلدهم في وجوب القول بخبر الواحد

“Abi Hanifah, Malik, al-Shafi‘i, Ahmad and Dawud Zahiri all are unanimous about the acceptance of solitary narrations; thus, it is obligatory for everyone who follows them to accept solitary narrations.”¹⁵⁶

- (1) Solitary narration should not be against the unanimous principles of creed.
- (2) It should not clash with the common and apparent teachings of the Qur'an.
- (3) It should not be against famous Sunnah (whether in saying or in action).
- (4) It should not be against the common practice of *Sahabah* and *tab'in*.
- (5) Narrator should not have relied upon the person, from whom he has narrated; he should have got it from him directly.
- (6) The action of narrator should not be against his narrated narrations.
- (7) When two *Sahabah* narrate two different Hadith and one of the two *Sahabah* has avoided arguing from one narration, then it will not be acted upon.
- (8) Hadith should not be unique in narration of any supplementary (extra) talk whether that addition is in text or in chain.
- (9) There should not be such thing in Hadith which usually happens.¹⁵⁷
The extent, up to which Imam Shafi'i regard and respects the Hadith needs not be stated he says:¹⁵⁸

May my parents be scarified on him (Rasul-Allah ﷺ), can the saying of any one be authority (proof) in the presence of his saying?. Imam Shafi'i has devoted one complete chapter of his *al Risalah* to prove the authority of the solitary narrations.¹⁵⁹

It is sufficient for the sublimity and greatness of Imam Malik Ibn Anas that he was an inhabitant of Madinah which is the home of Hadith and Sunnah, Imam Malik, declares categorically that, to practice upon the solitary narrations is compulsory.¹⁶⁰

What status, the Hadith of Rasul-Allah ﷺ, had before Imam Ahmad Ibn Hanbal, and what is the importance of solitary narrations etc? *Musanad Imam Ahmad* is the living proof of it.¹⁶¹

It is the fact that, *Sahabah* used to argue by the solitary narrations and used to act upon them. However sometimes they used to investigate such narrations for averting the doubt and achieving the surety. Sometimes in view of precaution and vigilance they were refusing to accept any such narration like Abu Bakr not accepting the narration of Mughairah about the inheritance of grand mother until the Muhammad Ibn Musallamah attested it, 'Umar Faruq did not accept the narration of Abu Musa Ash'ari till Abu Sa'id Khudri attested it etc. But these things does not hurt the authority of solitary narrations, nay perhaps it laid the foundation of great knowledge of Hadith called *Asam al Rijal*.

This fact becomes more obvious by the dialogue which 'Umar Faruq had with Abu Mu'sa Ash'ari.

‘ I don’t wish to accuse you; my aim is just to express the importance of Hadith of Rasul-Allah’.

In short when the authenticity of any Hadith is established, it will provide certain knowledge. And there is no need to examine and text its chain of narrators and text, and if another chain supports its text, it will be more strengthened and if it is against it then it is allowed to reject one of them, because it will be then rejection of the Hadith on the basis of analogy and this is unanimously against the principle of jurisprudence, because Sunnah has a clear priority over analogy.¹⁶²

If any person will say that we act upon only those things which are mentioned in the Qur’an, then according to the consensus of *ummah* he will be a *kafir* (Infidel, disbeliever) and has to offer only one *rak’ah* of *salah* from the sun rising to the darkness of night and has to offer that one *rak’ah* in the dawn. Because (*Salah*) is the word on which at least one *rak’a* can be applied and the limit of more is not fixed in it.¹⁶³⁷

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِن جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَن تُصِيبُوا قَوْمًا
بِجَهْلَةٍ فَتُصْيحُوا عَلَىٰ مَا فَعَلْتُمْ تَنِيمِينَ ﴿١﴾

“O you, who believe if a wicked person comes to you with any news, ascertain the truth, lest you harm people unwittingly and afterwards become full of repentance for what ye have done.” (al Hujurat 49: 6)

Here the orders are not to reject the news of sinner, however investigation and confirmation has been supported. It is evident by the description of sin, that even investigation is not necessary for the information of righteous and reliable person. It is obvious that how much importance solitary narrations carry in the matters of religion and worldly affairs. Solitary narration is religious authority, it is why, Imam of Sunnah (Imam Malik) has considered it as authority after confirmation and investigation, as we have mentioned above.

The deniers of authority of solitary narration argue by the verse 36 of *surah Yunus*, that the narrated Ahadith through solitary narrations are conjectural. The apprehension of mistake and negligence of narrator always remains with him, and where chances of mistake, error and negligence are there they can not provide certain knowledge. The word *zann* (presumption) did not mean ‘*zann*’ based on mere guess, presumption or analogy but it is based on the reliable information if supported by the circumstantial evidences it can provide certain knowledge.(al Najam 53: 23).

It is known that Muslims have been following the solitary narrations right from the period of *Sahabah* and have been acting upon it. Moreover, they had firm faith in Divine issues and realities proved by solitary narrations like, creation

of Adam, signs of *Qiyamah* even they testify the attributes of Allah on the basis of solitary narrations.

If solitary narrations were not benefiting certain knowledge and testify the issues of faith, then *Sahabah*, *tab* 'in their descendants and all *a'imah* were be held obeying and following such affairs which were not authentic Ibn al Qayyim has commented in *mukhtasir al sawa'iq* that no Muslim can say this.¹⁶⁴

The stoning of Anis Aslami a woman, who accepted the committing of fornication, on the basis of saying of Rasul-Allah ﷺ, turning of people from *qibla* in *salah* towards Ka'ba from Bayat al Muqaddas on the information of one person only, sending of one or two envoys by Rasul-Allah ﷺ, to the Arab and non-Arab rulers and sending of Mu'adh Ibn Jabal to Yemen for propagation of Islam and other commandments. It was all on the basis of solitary means and their authenticity is agreed upon. Therefore, it is totally unrealistic to say that a solitary narration is not authority and accepted proof in the affairs of faith or belief. It is known that in beliefs, actions and regarding all other affairs, Muslims from the period of *Sahabah* have been accepting and acting on solitary narrations.¹⁶⁵

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِن جَاءَكُمْ فَاسِقٌ بِنَبَأٍ فَتَبَيَّنُوا أَن تُصِيبُوا
قَوْمًا يَجْهَلُونَ فَتُصِيبُوا عَلَى مَا فَعَلْتُمْ تَنِيمِينَ ﴿٦﴾

“O you, who believe if a wicked person comes to you with any news, ascertain the truth, lest you harm people unwittingly and afterwards become full of repentance for what you have done.” (al Hujurat 49: 6)

The crux of above narrated discussion is that, whatever news any reliable person brings that is authority and there is no need to investigate and probe it, and it will be immediately accepted, on this account Ibn al Qayyim stated that:

This verse is categorical proof of the fact that, solitary narration is authority, whose investigation and probe is not needed. If the solitary narration had been not providing certain knowledge, then order for the investigation and probe for it would have not been given.

Sahabah used to rely on solitary narrations and it was established practice among them. It is mentioned at various places in *Sahih Bukhari* that only one *Sahabi* stated any Hadith. It is evident proof that, *Sahabah*, solitarily used to impute the sayings or actions to Rasul-Allah ﷺ, if the solitary narration is not providing certain knowledge then it means, that respected *Sahabah* without knowing and understanding the things used to impute them to Rasul-Allah ﷺ.

As there is a consensus among the Muslims about the '*adalah* of *Sahabah*, how is it possible that they would narrate such sayings from Rasul-Allah ﷺ, about which, it was known to them that since these (narrations) are solitary narrations, so

they are unfruitful for the people. They were made responsible (بَلِّغُوا عَنِّي وَلَوْ آيَةً) ‘narrate from me even if it is a single verse’ to narrate the sayings of Rasul-Allah ﷺ to other people, whether they are pertaining to beliefs or other Islamic issues, the fact is that the denial of solitary narration as an authority is basically the refusal of Hadith.

According to Hadith, the Book of Allah and Sunnah of Rasul-Allah ﷺ, are ultimate guides for mankind for all times to come. Therefore, not only the Qur’an but the Sunnah too was preserved, the ancestors and predecessors have agreed on its authenticity. Similarly, the difference in beliefs and deeds in this regard are not allowed. To say solitary narration is not authority in beliefs and is authority in deeds is *bid’ah* (innovation) which is against the Sunnah.

Ibn al Qayyim says:

The discussed division in belief and deeds is false by the consensus of *ummah*. Because the solitary narration in beliefs has always been considered as authority as in deeds especially in those commandments which are based on this topic that Allah, the Exalted has made such issue as lawful and made obligatory such things. *Sahabah*, *tab’in* and their descendents and *muhaddithun* had always considered the solitary narrations as an authority in Divine names and attributes of Allah, predestination and in all other affairs and commandments.

It is unjust to say about any person that when he talks about deeds, he is reliable and when the same person speaks about the beliefs, he is not reliable. The fact is that, it will not be monitored that on what topic he speaks, but one has to see whether reliability is there or not, and whether narrator is pious and reliable?

Imam Muwaffiq Ibn Hamadan Tufi and a number of people say that solitary narration is providing certain knowledge in the presence of evidence. ‘Allamah ‘Ala’ Din ‘Aliyy Ibn Sulaiman al Mardawi said in *Sharah al Tahrir* that views of Muwaffiq and others are more correct and evident. According to Mawardi circumstantial evidences cannot be written but other knowledgeable persons says that, circumstantial evidences can be written, by which the same satisfaction can be achieved as we used to get from continuous narrations and other authentic Ahadith, there is no reason to doubt such narrations. Those *a’imah* who report the solitary narrations and whose piety, sublimity and retentive memory is known, have been accepted by the *ummah*. It is the *maslak* of Qadi Abu Ya’la. Imam Ibn al Zaghrani and Imam Ibn Taimiyyah also, and the *maslak* of reputed scholars of Hanfi, Shafi’i and Hanbali scholars is the same. Imam Abu Ishaq, Abu al Tayyib, ‘Abd al Wahab Maliki, Sarkhasi Hanfi and other Shafi’i and Hanfi scholars also had similar views regarding the solitary narrations.¹⁶⁶

Those Ahadith which have been accepted by the *ummah*, also includes the Ahadith of *Sahihain* because these are authentic Hadith books. Only those Ahadith are excluded from it which has been criticized by *muhaddithun*. Definitely the theoretical knowledge is achieved by these Ahadith. As Imam Ibn al Salah has written in his book '*Ulum al Hadith* and the teacher of Ibn Kathir and Ibn al Qayyim, Imam Ibn Taimiyyah has supported him. Ibn al Qayyim has mentioned the examples of such Ahadith like: *فرض رسول الله زكوة النظر* and *انما الاعمال بالنيات* and so on and so forth.

Imam Ibn Taimiyyah's views about solitary narrations

Shaikh al Islam said when *ummah* accepts solitary narrations in letter and spirit then it provides certain knowledge, this *maslak* is opted by the Hanfi, Shafi'i and Hanbali scholars also, *Shaikh al Islam's* stand is that certain knowledge is achieved by the solitary narrations with supportive circumstances, as '*Allamah* Safarini has reported from Imam Muwaffiq, Ibn Hamadan, Tufi and Mardawi.¹⁶⁷

In the first century of *hijrah* the practical and theoretical narrations of *Shari'ah* were very common. Imam Ibn Hazm says that solitary narrations were accepted without any denial in this century Sunni, Shi'i, Khwarijis, and Qadariyah all were accepting it. After the first century, the theologians of Mu'tazillah opposed the consensus of *ummah* on it.

Shaikh Muhammad Ibrahim al Wazir al Yemini says:

وقد انعقد اجماع المسلمين على وجوب قبول الثقات فيما لا يدخله النظر
ليس ذلك بتقليد بل عمل بمقتضى الادله القاطعه الموجهه بقبول خبرا لا حادوي
محزره في موضعها من فن الاصول ولم يخالف في هذا الا شذمه يسيره وهم متكلموا بغداد
من المعتزله والاجماع منطبق قبلهم وبعدهم على بطلان قولهم.

There is a consensus of Muslims on such narrations of reliable persons, and there are no differences and it is not the emulation but the demand of decisive proofs whose interest is that, solitary narrations must be accepted as *hujjah* as it is one of the basic requirements of *Shari'ah*. And it is of the fundamentals of religious knowledge none but the theologians of Mu'tazillah of Bagdad, opposed it and their was consensus before and after them on the baselessness of their views (regarding solitary narrations).¹⁶⁸

Muhammad Isma'il Gujranwala has narrated the history of different types of deniers of Ahadith as follows:

S.No.	Deniers	Types of Ahadith	Date
1	Khwarjis.	The Ahadith about the virtues of <i>ahli Bayat</i> .	200 A.H
2.	Shi'i.	Those Ahadith which are about the virtues of <i>Sahabah</i> .	200 A.H
3.	Mu'tazillah and Jahimiyah.	Ahadith of Divine attributes.	200 A.H
4.	Qadi Yahya Ibn 'Abbas and his followers.	Those Ahadith which are narrated by such <i>Sahabah</i> who according to them did not have juristic competence.	221 A.H
5.	Among later <i>Fuqaha</i> Qadi Abu Zaiz Dabusi etc.	Do	do
6.	A little group of later <i>Fuqaha</i> with Mu'tazillah and theologians.	They did not accept solitary narration both in principles and subsidiary issues.	400 A.H
7.	Those who were influenced by European civilization like Maulvi Charagh 'Aliyy and Sir Sayyid Ahmad Khan and others.	They were totally unaware of ' <i>Ilm Hadith</i> ' they accept only those Ahadith which they deem according to nature and reason.	1300 A.H
8.	Maulvi 'Abd Allah Chakdalvi, Mistri Muhammad. Ramdan Gujranwala, Maulvi Hashmat Allah Lahori, Maulvi Raf'i Din Multani.	Total denial of Hadith.	1300 A.H.

This table is the result of my study and none of the portion is insisted. I will be grateful of those who make me aware of my mistakes and errors; I think Hadith denial movement has reached on its peak gradually.¹⁶⁹

After the research and investigation, Hadith carries the same status that of the Qur'an. In fact the denial of Hadith puts the same impact on *iman* as the denial of the Qur'an does. If the Ahadith will be proved correct according to the perfect rules and clarities of *muhaddithun*, then their denial will be infidelity and synonymous to expelling from religion, despite the difference in interpretations, the Qur'an is the word of Allah, and is canonically authority. Similarly, despite the differences about the authenticity of Ahadith and their confirmation, Hadith is *wahy* from Allah and an authority in religion after the Qur'an.

Imam 'Uthman Sa'id Darimi says:

لأن هذا الحديث إنما هو دين بعد القرآن

“Because, the Hadith is religion after the Qur'an.”¹⁷⁰

Indeed, scholars of jurisprudence has written the solitary narrations as *zanni*, but it mean in the terminology of *muhaddithun* that the status of the knowledge provided by these solitary narrations will be not similar as the

knowledge which is obtained from continuous narrations the word *zanni* is not in the meaning of *waham* as is the whim of deniers of Hadith.

This fact is also important that when we declare any deed as obligatory then its knowledge will also be regarded as obligatory because action is not possible without knowledge. If some scholars say that the argument by solitary narrations in deeds are acceptable but are not reliable in beliefs, it is strange because information about Hereafter torment, particularly grave torment and seeing of Allah Almighty are all in solitary narrations. These narrations not only provide knowledge but throws light on the matters of belief too. This difference seems not to be correct that, when a person speaks about the deeds he is reliable but when the same person talks about faith, he becomes unreliable. As a matter of justice, the authenticity of narrations depends on the basis of narrator's piety and retentive memory.

Ibn al Qayyim says:

Those who reject the knowledge provided by solitary narrations, they are influenced by the Mu'tazillah and heretic groups. Some of the *fuqaha* and jurists are also impressed by them. But there is no leader for them in predecessors. *a'imah* of Sunnah, Imam Shafi'i, Imam Malik, Imam Ahmad, Imam Abu Hanifah and their pupils Imam Dawud, Ibn Hazm, Hussain Ibn 'Aliyy and Karablisi etc said that indeed certain knowledge is obtained from solitary narrations. A person was discussed in front of Imam Malik, who was saying that to perform deeds on the basis of solitary narrations is obligatory but the certain knowledge can not be obtained through these narrations. Imam Malik disliked it and said. I don't know what the calamity he is? Misunderstanding about the solitary narrations emerges at that time when theologians and philosophers assaulted Islamic beliefs and later *fuqaha* too were influenced by them.¹⁷¹

Imam Ibn Taimiyyah says:

والاحاد في هذا الباب قد تكون ظنونا بشروطها فاذا قويت صارت
علوما فاذا ضعفت صارت اوهاما وخيالات فاسده

“Sometimes, solitary narrations were of *zanni* nature and, if they are authentic they provide certain knowledge, if they are weak they are superstitious and false imaginations.”

Hadith reaches the status of surety, Hadith (*انما الاعمال بالنيات*) ‘Actions depend on intentions’ Hadith of *sadqah* and unlawfulness of marrying the maternal and paternal aunt. Hadith of unlawfulness of marrying foster sisters and Hadith about ten *Sahabah* who were given the gladtidings of Heaven, have been accepted practically by *ummah*. Imam Ibn Taimiyyah says, certainty is achieved by these solitary narrations as we used to get from the continuous narrations, no one has disputed about it in the predecessors.

Maulana Sayyid Anwar Shah Bukhari says:

حاصله انه يفيد القطع اذا حثف بالقرآن كخبر الصحيحين على الصحيح
بيد انه يقون نظريا ونسب الى احمد ان اخبارا لا حاد تقيد القطع مطلقا.

The gist is that if the circumstantial evidence is found in the solitary narrations like authentic narrations then the certain and theoretical knowledge will be obtained by them¹⁷² it is narrated from Imam Ahmad that it will provide the benefit of surety.

CHAPTER NOTES I

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4. Ibid, p.42.
5. Ibid, p.43.
6. Ibid, p.44.
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8. Idem.
9. Muhammad Habib Allah Mukhtiyar, *Sunnat-i-Nabwiyyah Aur Qur’an-i-Qarim*, U.P.India, Maktaba Yadgari Shaikh n.d, p.221.
10. Ibid, pp.222, 228.
11. ‘Abd al khaliq, op. cit., pp.46, 47.
12. TM, 2600.
13. BU, 6762.
14. BU, 4675.
15. ‘Abd al Razaq, *al Musanaf*, (ed. Habib al Rahman al A‘zmi), Beirut Lebnan, n.p, 1390 A.H, vol. 2, p.229.
16. AD, vol.1, p.24.
17. MU, vol.1, p.232.
18. AD, 4607.
19. Ibid, vol.2, p.456.
20. ‘Abd al Khaliq, op.cit. p.53.
21. Ibid, p.50.
22. Ibid, p.59.
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26. Ibid, p.67.
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29. Idem.
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36. Gujranwala, op.cit. pp.95,96.
37. Tahir Ibn Salih al Jaza’ri, *Tawjih al Nazar*, Cairo, n.p., 1328 A.H., p.3.
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39. Idem.
40. Idem.
41. Idem.
42. Idem.

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44. Gujranwala, op.cit. pp.95,96.
45. Idem.
46. Idem.
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49. Ibrahim Ibn Musa al Shatbiyy, *al Muwafiqat*, Beirut Lebanon, Dar al Kitab al Arbi, 2002, vol.4, p.3.
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54. Idem.
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56. Ibid, p.27.
57. 'Abd al khaliq, op.cit. pp.783-784.
58. Ibid, p.786.
59. Ibn Taimiyyah, MF, op.cit, vol.1, pp.6, 7.
60. TM, 2600.
61. Ibn Taimiyyah, MF, op.cit. vol.1, p.8.
62. Ibid, p.9.
63. Ibid, p.8.
64. Idem.
65. AD, 3988.
66. Gujranwala, op.cit. p.22.
67. 'Imad al Din Ibn Kathir, *Tafsir Ibn Kathir*, Beirut Lebanon, Dar al 'Aruba, vol.5, p.355.
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73. al Baghdadi, *Tafsir al Khazin*, Beirut Lebanon, Dar al Fikir, 1399 A.H, vol.4, p.74.
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78. MU, 20.
79. IM, 1841.
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94. AD, 3988.
95. IM, 2135.
96. BU, 1.
97. TM, 1261.
98. MU, 20.
99. AD, 1175.
100. BU, 595.
101. MU, 2286.
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103. Ibid, p.419.
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107. Ibid, vol.8, pp.29, 30.
108. TM, 709.
109. BU, 3810.
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161. Ibn Qayyim, op.cit. vol.1, p.32.
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163. Ibn Hazam, op.cit. vol.2, p.80.
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CHAPTER 2

HADITH COLLECTION, COMPILATION AND CLASSIFICATION

Regarding the Hadith collection the important thing to know is that, the compilation of the Hadith took place in the same careful and systematic manner which was the procedure for the preservation of the Qur'an. How it was done? It is noteworthy whether the preservation of the Hadith was necessary for the protection of *Shari'ah*? Definitely it was, it is obvious then that Allah's contrivance was behind its preservation.

Understanding the meaning of preservation

Preservation does not mean that there will not be any mistake or error in the preserved text but what actually preservation means is freedom from mistake or error and whenever mistake is noticed all the means and ways are to be available to remove this mistake and to make it error free. In order to understand how preservation of the Hadith took place it is reasonable to know how preservation of the Qur'an took place.

The responsibility of the preservation of the Qur'an is taken by the Almighty Allah, but hasn't it been heard that while reciting the Qur'an reader forget any verse or commits phonetic error? Do not some unlettered, ignorant persons recite the Qur'an wrongly? Does not calligraphers while writing the Qur'an make mistake in writing? The answer to all these questions is that having some mistake is one thing the continuation of mistake is another. As long as mistake is established in a way which cannot be rectified we can not doubt authenticity and preservation of the Qur'an. But whenever somebody makes or commits some error learned men stopped him and rectified his error if someone is committing it intentionally scholars used to refute him with vigour. That is why we find everywhere perfect reciters of the Qur'an, competent calligraphers of the Qur'an and those who have committed the Qur'an to the memory they will remain dominant and will not allow any body to distort or penetrate mistakes or other errors in the Qur'an.

Imam Ibn Taimiyyah said:

Since the Qur'an has been continuously narrated
therefore, there is no hope for any one to change its

words and syllables but *Shaitan* wants to penetrate the alternation and change in the meaning of the Qur'an through interpretation. He desires to bring a change in the Hadith of Muhammad Rasul-Allah, in this way made many people astrayed but Allah Almighty raised a group for the destruction of those who have evil designs about the Qur'an. They are competent enough to distinguish between the true and false statements and by this way they preserve the Sunnah of Muhammad Rasul-Allah and meaning of the Qur'an.¹

Preservation of the Hadith

When the mistakes and errors during the reciting of the Qur'an does not effect the preservation of the Qur'an similarly the mistakes and errors caused by the narrators during the copying or narrating the Ahadith do not effect the preservation of the Ahadith. As the people are available everywhere to point out the mistakes of reciters of the Qur'an in the same way the scholars of the Hadith were there in every period to preserve the Hadith from distortion and mistakes. They never allowed anybody to destroy authenticity and authority of the Hadith, they establish comprehensive system of grading the Hadith by which one can differentiate between *sahih* and *da'if* Ahadith. So one who on the basis of *da'if* and *munkir* Ahadith castes doubt about the whole stock of Ahadith is not far behind to that person who on the basis of some mistakes in the recitation of the Qur'an challenges very preservation and authenticity of the Qur'an.

What is the Qur'an name of?

What is the Qur'an name of? The peculiar systematic arrangement of words revealed by Allah to His Rasul, human being is incapable of producing or compiling the discipline of words like this, the meaning of the Quranic words and verses too are the Qur'an, famous book on principles of Islam *Nur al Anwar* narrated!

هو القرآن اسم لنظم والمعنى جميعاً

“The Qur'an is a name of systematic words and there meanings”

Imam Ibn Taimiyyah said:

ان القرآن كلام الله، منزل غير مخلوق، القرآن الذي انزله الله رسوله ﷺ هو هذا القرآن الذي يقرؤه المسلمون و يكتبونه في مصاحفهم، وهو كلام الله لا كلام غيره، و القرآن كلام الله بحروفه ونظمه ومعانيه، كل ذلك يدخل في القرآن كلام الله.

Indeed the Qur'an is word of Allah, revealed, uncreated, Allah revealed the Qur'an upon his Rasul ﷺ. It is the same Qur'an which Muslims recite and write on their papers. It is the word of Allah not the word of anyone else. The Qur'an is the word of Allah its words and meaning both are included in the Qur'an.²

The Qur'an is the name of peculiar and special systematic arrangement of words verses and overall meaning. This peculiar and special arrangement of words is its miracle. The lifting of its protection means that the Qur'an does not remain secure. It cannot be that the eternal assurance of the preservation and protection of the Qur'an does not include its meaning.

Meaning of preservation and protection of the Qur'an

Is the protection and preservation of the Qur'an confined to its words and verses only or its meaning too is included in this preservation? The answer to this is that the Qur'an is preserved and protected from every angle not only its words and verses but their meaning too is under Divine protection. May anyone recite it wrongly or distort its meaning, Islamic scholars are always there to point out these mistakes whether committed in its reciting or meaning it is not possible that this Divine Book can be tempered or distorted and people will not check this distortion, because its preservation and protection has been guaranteed by Allah. And preservation and protection includes its words, verses and meaning.

Protection to the words only will not serve any purpose

If the change in the meaning is allowed or carried out the preservation and protection is confined to impression of words only then the Divine purpose of preservation and protection of the Qur'an becomes absolutely meaningless and insignificant. The protection of words is for the significance and well being of its meaning otherwise the protection of words is not required by itself. The protection of the words as well as its meaning is related to the eternal promise and prediction. So in this eternal promise it is related with the word *dhikr*.

إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ ﴿٩﴾

“We have, without doubt, sent down the Message;
and We will assuredly guard it [from corruption].”
(al Hijr 15:9)

بِالْبَيِّنَاتِ وَالزُّبُرِ وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ
وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿٤٤﴾

“[We sent them] with clear signs and Scriptures and We have sent down unto you [also] the Message; that you may explain clearly to men what is sent for them, and that they may give thought.” (al Nahal 16:44)

كِتَابٌ أَنْزَلْنَاهُ إِلَيْكَ مُبَارَكٌ لِيَدَّبَّرُوا آيَاتِهِ ۖ ﴿٧٩﴾

“[Here is] a Book which We have sent down unto you, full of blessings, that they may meditate on its signs, and that men of understanding may receive admonition.” (al Zumar 39:29)

أَفَلَا يَتَدَبَّرُونَ الْقُرْآنَ ۚ ﴿٨٧﴾

“Do they not consider the Qur’an [with care]?.” (al Nisa 4:82)

أَفَلَا يَتَدَبَّرُونَ الْقُرْآنَ أَمْ عَلَى قُلُوبٍ أَقْفَالُهَا ۚ ﴿٩٤﴾

“Do they not then earnestly seek to understand the Qur’an, or are their hearts locked up by them?” (Muhammad 47:24)

أَفَلَمْ يَدَّبَّرُوا الْقَوْلَ ۚ ﴿١٨﴾

“Do they not ponder over the Word [of Allah]?.” (al Mu’minun 23:68)

Imam Ibn Taimiyyah said:

وتدبر الكلام بدون فهم معانيه لا يمكن، وذلك قال تعالى.

It is not possible to ponder over the speech unless one understands the meaning, Allah said:

إِنَّا أَنْزَلْنَاهُ قُرْآنًا عَرَبِيًّا لَعَلَّكُمْ تَعْقِلُونَ ﴿٢﴾

“We have sent it down as an Arabic Qur’an, in order that ye may learn wisdom.” (Yusuf 12:2)

It is obvious that al-Nabiyy explained to his Companions meaning of the Qur’an as he used to explain them words of it. It is because of this Abu ‘Abd Rahman al Salmi said that it is narrated to us by those who used to recite the Qur’an like ‘Uthman Ibn ‘Afan ‘Abd Allah Ibn Mas‘ud and others that whenever they learned 10 verses from the Nabiyy they did not go ahead till they learned knowledge as well as practice from

these 10 verses. It is said that we learned from the Qur'an both knowledge as well as practice. One can not ponder over words till he knows and understands meaning of these words first. It is obvious that every speech stands for its meaning instead of its words only. Same principle is applicable to the Qur'an. When it is not possible for people to understand the books regarding science and arithmetic without knowing its meaning, the Book on which depends their salvation, and success and on the basis of which they run their world and secure their Hereafter deserves more concentration and understanding which is possible only by understanding its meaning.³

An important aspect of the protection of the Qur'an

Muhammad Rasul-Allah ﷺ was appointed by Almighty Allah to explain and interpret the Qur'an to mankind (al Nahal 16:44) There are many of commands in the Qur'an which are abstract like *salah* and *zakah* etc until and unless we know explanations and commentaries of Rasul-Allah ﷺ regarding these verses with there abstractness we can not understand of what we have been made bound of! If the detailed explanations and interpretations regarding these abstract commands are not preserved and protected and had not been there any responsibility of preserving and protecting it then nobody could have benefited from these abstract verses, and lot of commands of Allah which have been entrusted upon us could have become impracticable hence suspended. Certainly the result would have been our helplessness and incompetence to grasp the purpose of these abstract verses and we would have not in a position to worship Allah as He wants to worship Him. It would have definitely made preservation of the Qur'an meaningless. So we are bound by logic and sound reasoning to confess that with the protection of the Qur'an its entire meaning, interpretation and explanation which has been practiced, adopted and duly approved by Muhammad Rasul-Allah ﷺ in presence of others are preserved also. So it is to be believed that along with the protection of the Qur'an the Hadith has been also protected under Divine scheme otherwise it can be presumed that, the Qur'an has failed to preserve its meaning. It is obvious that no Islamic scholar is of this view.

Quranic version of the Hadith protection

There are various names of this last revealed Book of Allah when we notice reciting aspect of the Qur'an, the name Qur'an gets prominence. When it is presented against falsehood it's another name, *al Furqan* becomes dominant *al*

Furqan, one who differentiates between truth and falsehood. When its meaning is under discussion it's another important name, *al Dhikr* becomes appropriate name of this revealed Book, thus it is distinguished as remembrance *al Dhikr* through which sense of understanding and wisdom is produced and truth and reality becomes visible. Instead of the name *al Qur'an* and *al Furqan* Allah while taking responsibility for its protection calls it *al Dhikr*.

إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ ﴿٩﴾

“We have, without doubt, sent down the Message;
and We will assuredly guard it [from corruption].”
(al Hijr 15:9)

Which itself is an ample proof of protection of its words and their meaning, thus the word of Allah for the protection of *al Dhikr* clearly indicates that this protection is not confined to its words only it includes its details also which were presented by Muhammad Rasul-Allah ﷺ who was made duty bound for providing its detail wherever felt necessary:

بِالْبَيِّنَاتِ وَالزُّبُرِ وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ
وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿٤٤﴾

“[We sent them] with clear signs and Scriptures and
We have sent down unto you [also] the Message; that
you may explain clearly to men what is sent for them,
and that they may give thought.” (al Nahal 16:44)

Here (ما نزل إليهم) ‘what is sent down to them’ means the Qur’an and (لبيّن) ‘you may explain’ means the words and actions of Muhammad Rasul-Allah ﷺ this is called Hadith. It is understood by this Quranic verse that the word *al Dhikr* includes side by side the (*bayan*) ‘explanation’ explanation of the Rasul-Allah ﷺ and so this explanation too was revealed hence it is also a Divine gift. Imam Ibn Taimiyyah said:

المسلمون يتلقون دينهم كله عن الرسول، وإما الرسول فينزل عليه وحى القرآن، وحى آخر هو الحكمة (السنة) كما قال ﷺ

“Muslims receive their religion in toto from Rasul,
the revelation of the Qur’an was revealed to Rasul and
another revelation was of *al hikmah* (al Sunnah) Rasul-
Allah ﷺ said:”

أَلَا إِنِّي أُوتِيتُ الْكِتَابَ وَمِثْلَهُ مَعَهُ ﴿٤﴾

“Beware I have been given *al Kitab* [the Qur’an] and another thing like it”⁴

وقال حسان بن عطية: كان جبريل ينزل على النبي ﷺ بالسنة فيعلمه إياها كما يعلمه القرآن. فليس كل ما جاء به السنة يجب أن يكون مفسراً في القرآن.

“Hasan Ibn ‘Atiyah said, Jibril used to come to al-Nabiyy ﷺ with Sunnah and teach him Sunnah as he used to teach him the Qur’an. Whatever one finds in the Sunnah is basically commentary of the Qur’an.”⁵

Hafiz Ibn Hazm writes:

All Islamic scholars agree with this, that whatsoever revelation (recited or un-recited) as is evident by this verse وَأَنْزَلَ إِلَهُكَ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ which talks about both kinds of revelation has been revealed by Allah. And whole revelation *al Dhikr* is under Divine protection. The Qur’an is explained, clarified and interpreted by the practice ordained by the Sunnah.⁶

Those who are well versed in the Qur’an and the Hadith are called *Ahl al Dhikr*; people should follow them and seek guidance from them in their day to day matters.

وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رِجَالًا نُوْحِيْ اِلَيْهِمْ فَمَسَّلُوْا اَهْلَ الذِّكْرِ
إِنْ كُنْتُمْ لَا تَعْلَمُوْنَ ﴿٤٣﴾

“And before you also [the *Rusul*] We sent were but men, to whom We granted inspiration: if ye realise this not, ask of those who possess the Message.”

(al Nahal16:43)

Who are *Ahl al Dhikr*, does this verse talks about those who have committed the Qur’an to memory? Does it mean that whosoever recites the Qur’an properly knows its meaning is a scholar and he needs not to know any thing about Muhammad Rasul-Allah’s ﷺ teachings (his sayings actions and approvals)? Answer is obviously no *Ahl al Dhikr* means only those scholars who are well learned in both the Qur’an and the Hadith. Imam Shafi‘i said:

The aggregate treasure of Sunnah is available with the scholars of Hadith some of them had vast stock of Ahadith and some had little if we will collect it all we can get whole stock of Sunnah. It is true that if the

collection of Ahadith by the *muhaddithun* is taken separately then it is obvious every scholar had missed some Ahadith but if we miss any Hadith from one scholar we can get it from another scholar.⁷

It is evident from the above mentioned statement of Imam Shafi'i that, overall collection of Ahadith is always preserved and protected. Some differences in various chains of narrators and other ordinary and little differences can not destroy the authority and authenticity of Hadith collection. This evidence is of 2nd century A.H and till that time the scholars, *muhaddithun* like Imam Bukhari and Imam Muslim had not compiled their precious books. In the third era (3rd century A.H) when the *Sihahi Sittah* like authentic books were compiled, the Hadith at that time had entered in a secure phase where 'absolute protection' term was duly applicable to Hadith.

If this continuity would have been there from *a'imah Sittah* to Muhammad Rasul-Allah ﷺ (if some Hadith had reached to the followers in the same continuity as the Muhammad Rasul-Allah's ﷺ full description was before his Companions) then no doubt it would have been compulsory to have belief on it. Because there is no difference between the Qur'an as far as its authority is concerned because Hadith is practical description of the Qur'an and clarification of its abridgment.

Qadi 'Ayyad writes:

وكذلك تقطع بتكفير كل من كذب وانكر قاعدته من قواعد الشرع وما عرف
يقيناً بالنقل المتواتر من فعل الرسول ووقع الاجماع المتصل عليه كما انكر
وجوب الصلوات الخمس وعدد ركعاتها وسجاداتها.

Like this we consider every such person who denies and refutes any command of *Shari'ah* which is duly established and has been narrated with continuity as an act of al-Rasul as infidel and there is consensus on this issue, like that person who disapproves the obligations of five time *salah* and its genuflexion and prostration.⁸

Mankind has been given promise for the protection of Hadith

إِنَّا نَحْنُ نَزَّلْنَا الذِّكْرَ وَإِنَّا لَهُ لَحَافِظُونَ ﴿٩﴾

"We have, without doubt, sent down the Message;
and We will assuredly guard it [from corruption]."
(al Hijr15:9)

The Qur'an and whole stock of authentic Ahadith which is available to *ummah* is witness to this fact that Allah no doubt keeps His promise. How this protection of Hadith became possible, what kind of ways and means were adopted to fulfill this Divine mission, it ranks a milestone for us.

Under the guidance of the Qur'an

The Qur'an has advised us that we should accept every advice which we get from the Muhammad Rasul-Allah ﷺ and avoid or keep oneself aloof from that every thing which Muhammad Rasul-Allah ﷺ has prohibited. It is said

مَا آفَاءَ اللَّهِ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٥٩﴾

What Allah has bestowed on His Rasul and taken away from the people of the townships, belongs to Allah, to His Rasul and to kindred and orphans, the needy and the wayfarer; in order that it may not [merely] make a circuit between the wealthy among you. So take what al Rasul assigns to you, and deny yourselves that which he withholds from you. And fear Allah; for Allah is strict in punishment. (al Hashr 59:7)

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِّمَن كَانَ يَرْجُوا اللَّهَ وَالْيَوْمَ
الْآخِرَ وَذَكَرَ اللَّهَ كَثِيرًا ﴿٢١﴾

“Ye have indeed in the Rasul-Allah a beautiful pattern [of conduct] for any one whose hope is in Allah and the Final Day, and who engages much in the praise of Allah.” (al Ahzab 33:21)

In the shade of above mentioned verses the Companions of Muhammad Rasul-Allah ﷺ were anxious and very much concerned that they must not miss anything (word or deed) of Muhammad Rasul-Allah ﷺ regarding their religion they not only imitate almost all religious commands of their beloved and highly respected Rasul sometimes they even tried to follow such acts of Muhammad ﷺ for which they were not made bound to follow naturally practical concern was born for the protection of the Hadith.

Protection through various means

What must be the requisites for rightful narration of any deed or word so that every bit of this narration is fully secured and no change should occur in it and

everyone accepts its reliability. Muhammad Rasul-Allah ﷺ adopted every practical method one can think about for the compilation of Hadith.

a) Muhammad Rasul-Allah ﷺ had assigned the responsibility to the Companions that his sayings must be carried forward even though may it be a single word.

b) Muhammad Rasul-Allah ﷺ has not kept the responsibility of propagating the Hadith to certain Companions but to every present Companion, has the responsibility for taking the Hadith to those who were not present.

c) It was the desire of Muhammad Rasul-Allah ﷺ that each and every narration must reach to others through those who are more able to understand the Hadith so that the actual meaning of the text remains intact.

d) Muhammad Rasul-Allah ﷺ has said there will be a severe punishment for those who intentionally attribute false statement to him.

e) Muhammad Rasul-Allah ﷺ had also said there will be a severe punishment to those persons who hide or conceal some thing from his sayings. (*kitman 'ilm*) 'to hide knowledge' is a major sin in Islam.

f) Some Companions when sought were also permitted to pen down the Ahadith, so that they can memorize them and forward then accordingly.

The Ahadith related to above mentioned measures are available in the stock of Ahadith, from this we are able to know how Muhammad Rasul-Allah ﷺ was concerned for the compilation and preservation of his sayings. The world has then practically observed the devotion and manner in which the Companions of Muhammad Rasul-Allah ﷺ made the memorization, compilation and propagation of 'Ilm Hadith (knowledge of the Hadith) the subject of their life, here are some Ahadith regarding these measures:

Narrated 'Abd Allah Ibn 'Umar that Rasul-Allah ﷺ said:

بَلِّغُوا عَنِّي وَلَوْ آيَةً ﴿١﴾

1. Convey to others on my behalf, even though it be a single verse.⁹

This Hadith is ample proof that Rasul-Allah ﷺ was very much concerned about the propagation of Hadith, the word ('*anni*') 'from me' indicates that it was sayings of Muhammad Rasul-Allah ﷺ about which they were ordered to carry forward these sayings.

2. Abu Sa'id Khudri narrated that Muhammad Rasul-Allah ﷺ was eager to educate his followers he had ordered them in this regard.

إِنَّ النَّاسَ لَكُمْ تَبَعٌ وَإِنَّ رَجُلًا يَأْتُونَكُمْ مِنْ أَقْطَارِ الْأَرْضِ يَنْفَقُهُمْ فِي الدِّينِ فَإِذَا آتَوْكُمْ فَاسْتَوْضُوا بِهِمْ خَيْرًا ﴿٢﴾

“Coming generations will follow you, people will come to you from every corner of the world to learn religion, when they come to you, teach them good things.”¹⁰

3. Abu Bakrah said: Rasul-Allah ﷺ in his last *hajj* while presenting human rights charter said:

أَلَا يُبَلِّغُ الشَّاهِدُ مِنْكُمْ الْغَائِبَ فَإِنَّ الشَّاهِدَ عَسَى أَنْ يَبْلُغَ مَنْ هُوَ أَوْعَى لَهُ مِنْهُ ❁

“Those present should convey [my Sunnah] to those absent, he may convey to a person who can understand it more than him.”¹¹

4. ‘Abd Allah Ibn Mas‘ud narrated: Rasul-Allah ﷺ said:

نَصَّرَ اللَّهُ أَمْرًا سَمِعَ مِنَّا حَدِيثًا فَحَفِظَهُ حَتَّى يُبَلِّغَهُ غَيْرَهُ ❁

“May Allah grants vigour to a person who listens to my saying and learns it by heart until he conveys it to others.”¹²

5. Anas Ibn Malik narrated that, al-Nabiyy ﷺ said:

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا حَدَّثَ حَدِيثًا أَعَادَهُ ثَلَاثَ مَرَّاتٍ ❁

“Whenever (al-Nabiyy) says something he used to repeat it thrice.”¹³

6. Zubair narrated that Rasul-Allah ﷺ said:

مَنْ كَذَبَ عَلَيَّ فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ ❁

“Whoever attributes a lie to me, he should prepare his seat in the fire.”¹⁴

Compilation of Ahadith

It is exaggeration to say that in pre-Quranic age people of Makkah totally rely on their memory for their day to day matters and they were absolutely unaware with the art of reading and writing. It is established historical research that the northern part of Arab was literate enough to read and write. As we know the Makkah was famous business centre and there were more educated (knowing art of reading and writing) persons than in Madinah, thus, this saying is unconceivable that at that time the number of people knowing how to read and write were little more than ten (10). This kind of narration seems to be a mere guess, a presumption. And it is obvious that the decision of important matters can not be carried out on the basis of mere presumption or unauthentic narrations.¹⁵

Scarcity of writing attitude in the period of Muhammad Rasul-Allah

There is no doubt that, before the advent of Muhammad Rasul-Allah ﷺ in spite of to what extend the Arabs were competent of reading and writing, the

number of educated people was more in Makkah than Madinah. The proof of it is that the prisoners who were arrested during the '*ghazwa badr*' were ordered by Muhammad Rasul-Allah ﷺ that whosoever know reading and writing, if teaches the art of reading and writing to 10 (ten) children of Madinah will be released. These explanations are enough for us to believe that the number of writers of revelation had reached up to forty (40) and mostly among them were the citizens of Makkah. They were the persons who pen down those parts of the Qur'an which were revealed till migration.

When Muhammad Rasul-Allah ﷺ laid the foundation of '*suffah*' near the 'Masjid Nabwi' 'Abd Allah Ibn Sa'id Ibn 'As started imparting education (reading and writing) to the people thus number of people became learned in reading and writing in Madinah. The strong presumption is that in the period of Muhammad Rasul-Allah ﷺ, for the propagation of knowledge nine (9) mosques in Madinah were functioning as academic centres also. This narration gets more confirmation by this saying about Muhammad Rasul-Allah ﷺ that he used to persuade children to learn (reading and writing) in these mosques who were functioning as academic centres also.

As we know that, for the preservation of Hadith the Companions of Muhammad Rasul-Allah used to rely on their memory instead of writing. It became necessary for us that along with these customary causes we must also search for some other causes and should not confine ourselves only to those causes which the general public used to discuss regarding this subject. Since we do not accept explanation that during the period of Muhammad Rasul-Allah the reason for the scarcity of compilation of Hadith was lack and shortage of means of writing, and enough sources were not available to put all Ahadith into writing, but the truth is that lack of writing material was only one cause for the scarcity of compilation. It is evident that, Companions of Muhammad Rasul-Allah faced various kinds of difficulties when they put the Quranic verses into writing, if they would have felt that Hadith writing is also necessary they would have certainly created such resources with every possible way to compile the Hadith. But it is obvious that, while writing the Qur'an they were temporarily discouraged in Hadith writing that's why there was no official and collective effort as far as Hadith writing is concerned.¹⁶

The Companions of Muhammad Rasul-Allah ﷺ were engaged to learn the Qur'an, and its recitation and understanding its meaning. They would memorize the Qur'an through out the day not only in the mosque (Masjid Nabwi) but in their houses also. They were told to concentrate on the Qur'an, whenever *Sahabah* used to meet each other they used to hear each other whatever they had memorized from the Qur'an till then. It was not considered suitable for them to make them bound for Hadith writing also neither it was possible for every Companion to remain with Rasul-Allah ﷺ every time to write down whatever he did, said or approved. Another important factor to note here is that it would have been impossible for writers to differentiate between the Quranic verses and sayings of Muhammad Rasul-Allah ﷺ thus; it would have affected the Qur'an.

It is true that some of the Companions of Muhammad Rasul-Allah ﷺ were eager to write down each and every word and deed of Muhammad Rasul-Allah ﷺ some of them even compiled booklets based on sayings and doings of Muhammad Rasul-Allah ﷺ but it was absolutely their personal wish and effort. When the danger of resemblance between the Qur'an and the Hadith did not remain then they were allowed and encouraged to write Hadith also. Imam Ibn Taimmiyyah writes:

فان الناس على عهد رسول الله ﷺ كانوا يكتبون القرآن، وكان النبي ﷺ قد نهاهم ان يكتبوا عنه غير القرآن وقال.

During the period of Muhammad people used to write the Qur'an as al-Nabiyy had prohibited them to write any thing from him except the Qur'an he said:

٤٣٦ هـ روى عن أبي خنيس الأزدى حدثنا حماد عن زينو بن أسلم عن عطاء بن يسار عن أبي سعيد الخدري أن رسول الله ﷺ قال لا تكتبوا عني ومن كتب عني غير القرآن فليمحاه وخذلوا عني ولا يخرج ومن كذب علي قال حماد أخيه قال متعمدا فليقتل مفعده من النار ❶

Abi Sa'id Khudri reported that, Allah's Rasul ﷺ said: Do not take down anything from me, and he who took down anything from me except the Qur'an, he should efface that and narrate from me, for there is no harm in it and he who attributed any falsehood to me, and Hammam said: I think he also said: 'deliberately' he should in fact find his abode in the Hell Fire.¹⁷

ثم نسخ ذلك عند جمهور العلماء، حيث اذن في الكتاب لعبد الله بن عمرو وقال.

Then according to majority of scholars this (prohibition of Hadith writing) was abrogated when 'Abd Allah Ibn 'Umr was given permission (Muhammad himself) to rite his sayings and said:

اكتبوا لابي شاه

“Write it down for Abu Shah”

وكتب لعمر بن حزم كتاباً قالوا: وكان النهي أولاً خوفاً من اشتباه القرآن بغيره، ثم اذ لمّا نزل ذلك فكان الناس يكتبون من حديث رسول الله ﷺ ما يتكبرون، وكتبوا أيضاً.

“And ‘Amr Ibn Hazm wrote a book and said:”¹⁹ al-Nabiyy had prohibited Hadith writing at beginning because it was feared that it would lend to confuse the Quranic text with the Hadith, when this fear remained no more people used to write Hadith of Rasul Allah whenever they wish to write.

٣١١١ مَرْثَا مُسَدَّدٌ وَأَبُو بَكْرٍ بْنُ أَبِي شَيْبَةَ قَالَ حَدَّثَنَا يَحْيَى عَنْ عُثَيْدٍ بْنِ الْأَخْطَسِ عَنْ الْوَلِيدِ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي مُعَيْثٍ عَنْ يُونُسَ بْنِ مَاهَكَ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو قَالَ كُنْتُ أَكْتُبُ كُلَّ شَيْءٍ أَسْمَعُهُ مِنْ رَسُولِ اللَّهِ ﷺ صَلَّيَ اللَّهُ عَلَيْهِ وَسَلَّمَ أُرِيدُ حِفْظَهُ فَتَنْهَيْتَنِي فَرَيْتُ وَقَالُوا أَتَكْتُبُ كُلَّ شَيْءٍ تَسْمَعُهُ وَرَسُولُ اللَّهِ ﷺ صَلَّيَ اللَّهُ عَلَيْهِ وَسَلَّمَ يَنْتَكِلُ فِي الْغَضَبِ وَالرَّغْصَةِ فَأَمْسَكْتُ عَنِ الْكِتَابِ فَذَكَرْتُ ذَلِكَ لِرَسُولِ اللَّهِ ﷺ صَلَّيَ اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَوْمَأَ بِأُصْبُعِهِ إِلَى فِيهِ فَقَالَ أَكْتُبْ فَوَالَّذِي نَفْسِي بِيَدِهِ مَا يَخْرُجُ مِنْهُ إِلَّا حَقٌّ ۞

It is narrated that ‘Abd Allah Ibn ‘Amr used to write whatever he heard from Rasul-Allah ﷺ, some people dissuaded him and said, sometimes Rasul-Allah ﷺ says (something) in anger, do not write every thing you heard’ so he asked Rasul-Allah ﷺ in this regard, In reply pointed to his lips and said:

اَكْتُبْ فَوَالَّذِي نَفْسِي بِيَدِهِ مَا يَخْرُجُ مِنْهُ إِلَّا حَقٌّ ۞

“I swear by the one in whose hand is my soul, nothing comes out from these this (mouth) except truth. So, do write.”

During the period of Muhammad Rasul-Allah ﷺ people used to write the Qur’an as Rasul-Allah ﷺ had prohibited them to write any thing from him except the Qur’an he said: whoever has written something (he heard) from he should rub it. According to majority of scholars this Hadith was abrogated when ‘Abd Allah Ibn ‘Amr was given permission to write down Hadith as is evident by above mentioned Hadith.²⁰

The need of compilation

Authority of Hadith demands that, Hadith must have been compiled. Its meaning must remain open, so that the laws of derivation and creative exertion remain alive forever. Islam is revealed religion and *Shari’ah* of Muhammad Rasul-Allah ﷺ is last proof (*hujjah*) over mankind and it has to remain proof for all times to come. It was because of this proof (*hujjah*) one feels need of compilation of total *Shari’ah*. As it is agreed and established principle that Sunnah has a legal authority naturally its preservation becomes necessary and obligatory that’s why some Companions who were competent enough to differentiate between the word

of Allah (the Qur'an) and sayings of Muhammad ﷺ (Hadith) used to write and compile sayings and actions of Muhammad Rasul-Allah ﷺ at their individual level and it is beyond any doubt, know that many booklets of Hadith came into existence during the lifetime of Muhammad Rasul-Allah ﷺ and prohibition for Hadith writing as we said above was just a temporary phase.

The preservation of Hadith

It is absolutely baseless story that Hadith of Muhammad Rasul-Allah ﷺ was compiled for the first time in the third century when Imam Bukhari and Imam Muslim compiled their books of Hadith. In fact, the compilation had begun in the very days of Muhammad Rasul-Allah ﷺ as we shall see little later in this chapter, though the compilation in a written form were not the sole measure adopted for the preservation of the Hadith. There were many other reliable sources of preservation also.

1. Preservation through practice

The first reliable way of preservation of Hadith was to bring it into practice. The knowledge of Sunnah/Hadith was not merely a theoretical knowledge, nor was the teachings of the Muhammad Rasul-Allah ﷺ merely philosophical. They related to practical life. Muhammad Rasul-Allah ﷺ did not confine himself to giving lessons and sermons only, he also trained his Companions practically, and following Hadith is ample proof of it.

صَلُّوا كَمَا رَأَيْتُمُونِي أُصَلِّي

“Offer *salah* as you see me offering *salah*.”²¹

لِتَأْخُذُوا مِمَّا سَكَّرْتُكُمْ

“ [I am here] to teach you rituals of *hajj* ”²²

Whatever they learnt from Muhammad Rasul-Allah ﷺ they spared no effort to bring it into actual practice and some times they even imitate Muhammad Rasul-Allah ﷺ in such matters which were of non-legal (*ghair tashri'i*) nature. Each Companion was so enthusiastic in practising the Sunnah that he tried his best to obey and imitate each and every act of Muhammad Rasul-Allah ﷺ, thus the whole concentration was on following the Sunnah. The Sunnah was not a verbal report only it was a living practice, a widespread behaviour and a correct fashion demonstrating itself every where in the society, in all the affairs of their daily life,

The Sunnah was not an oral service carried out by the Companions; they brought it into their daily practice. The Sunnah was the centre of gravity for all their

activities. How could they forget the Sunnah of Muhammad Rasul-Allah around which they built the structure of their whole lives? Thus constant practice in accordance with the dictates of the Sunnah was another factor which advanced the process of preserving the Sunnah and protected it from the foreign elements aiming at its distortion²³

2. Preservation through memorization

The Companions used to hear every word of Muhammad Rasul-Allah ﷺ with utmost care. They used to learn the Qur'an and the Hadith from Muhammad Rasul-Allah ﷺ, mostly in the mosque they used to learn them by heart. Muhammad Rasul-Allah ﷺ said:

نَضَّرَ اللَّهُ أَمْرًا سَمِعَ مِنَّا حَدِيثًا فَحَفِظَهُ حَتَّى يُبَلِّغَهُ فَرَبَّ حَامِلٍ فِيهِ إِلَى
مَنْ هُوَ أَفْقَهُ مِنْهُ وَرَبَّ حَامِلٍ فِيهِ لَيْسَ بِفَقِيهِ ❁

May Allah brighten a man who hears a Hadith from us gets it by heart and passes it onto others. Many a bearer of knowledge conveys it to one who is more versed than he is; and many a bearer of knowledge is not versed in it.²⁴

The Companions of Muhammad Rasul-Allah ﷺ were eager to follow this Hadith and used to devote considerable time for committing Ahadith to their memories. A large number of them left their homes and began to live in the Mosque of Muhammad Rasul-Allah ﷺ so that they may hear the Ahadith directly from Muhammad Rasul-Allah ﷺ. They spent all their time exclusively in securing the Ahadith in their hearts. They are called *Ashab al suffah*.

The Arabs had such strong memories that they would easily memorize hundreds of verses of their poetry. Nearly all of them know by heart detailed pedigrees of not only themselves, but also of their horses and camels. The Arabs were so proud of their memory power that they placed more their confidence on it than on writing. Some poets deemed it a blemish to preserve their poetry in writing. They believe that writing on papers can be tempered with, while the memory cannot be distorted by any one. If some poets have written some of their poems they did not like to disclose this, because it would be indicative of a defect in their memory.

The Companions of Muhammad Rasul Allah ﷺ utilized this memory for preserving Ahadith which they deemed to be the only guidance after the Qur'an. It is obvious that their enthusiasm to preserve the Ahadith exceeded their zeal for preserving their poetry and literature. They therefore, used their memory in respect of Ahadith with more vigour and more precaution.

Abu Hurairah, the famous Companion of Muhammad Rasul-Allah ﷺ, who has reported 5374 Ahadith, says:

جزأت الليل ثلاثه اجزاء، ثلثاً أصلى، و ثلثاً أنام و ثلثاً أذكر فيه حديث رسول الله ﷺ

“I have divided my night into three parts. In one third of the night, I perform *salah*, in one third I sleep and in one third I memorize the Ahadith of Rasul-Allah ﷺ.”²⁵

Abu Hurairah, after embracing Islam, devoted his life exclusively for learning the Ahadith. Scholars of the science of Hadith developed the science of *Asma al Rijal* by which they have deduced reliable means to test the memory power of each narrator of Ahadith. They never accepted any Hadith as reliable unless all of its narrators were proved to be pious and have retentive memory. Thus, memory power in the science of Hadith is not a vague term of general nature. It is a technical term having specified criteria to test the veracity of narrators. A great number of scholars of the science of *Asma al Rijal* and ‘*jarah wa ta’dil*’ have devoted their lives to examine the reporters of Hadith on that criteria. Their task was to examine their character and to judge the memory power of each narrator and to record objective opinions about them.

Memories of the Ahadith reporters cannot be compared with the memory of a layman today who witnesses an event or hears some news and conveys it to others in a careless manner seldom paying due attention to the correctness of his narration. The following points in this respect are worth mentioning.

1. The reporters of Ahadith were fully cognizant of the great importance and the delicate nature of what they intended to report. They whole heartedly believed that any misstatement or negligent reporting in this field would cause them to be condemned both in this world and in Hereafter. This belief equipped them with a very strong sense of responsibility. It is evident that such a strong sense of responsibility makes a reporter more accurate in his reports. It cannot be denied that the Companions of Muhammad Rasul-Allah their pupils and other reliable narrators of Ahadith believed with their heart and soul that the importance of a Hadith to Muhammad Rasul-Allah exceeds the importance of any other report whatsoever. They believed that it is a source of Islamic law which will govern the *ummah* for all times to come. They believed that any negligence in this respect will land them to the severe punishment of Hell.

So, their sense of responsibility while reporting Ahadith was far higher than that of a newsman.

2. The interest of the reporter in the reported events and his ability to understand them correctly is another important factor which affects the accuracy of his report. If the reporter is indifferent or negligent about what he reports, little reliability can be placed on his memory or any subsequent report based on it. But if the reporter is not only honest serious and intelligent but also interested and involved in the event, his report can easily be relied upon. The deep interest of the Companions of Muhammad Rasul-Allah in his sayings and acts, rather even in his gesture is beyond any doubt their understanding of what he said, and their close knowledge and observation of the background and environment under which he spoke or act cannot be questioned. Thus all the basic factors which help mobilize one's memory were present in them.

3. The standard of retentive memory required for the authenticity of a report is not, as mentioned earlier, a vague concept for which no specific criteria exist. The scholars of the science of Hadith have laid down hard and fast rules to ascertain the memory standard of each reporter. Unless a reporter of a Hadith has retentive memory, his reports are not accepted as reliable.

4. There is a big difference between memorizing a fact which incidentally came to the knowledge of some one who ever cared to remember it any more, and memorizing of a fact which is learnt by someone with eagerness, with an objective purpose to remember it and with a constant effort to keep it in memory.²⁶

The Companions of Muhammad Rasul-Allah ﷺ did not listen to him incidentally nor were they careless in remembering what they heard. Instead, they daily spared a specific time for learning the Ahadith by heart. The example of Abu Hurairah has already been cited above. He used to spare one third of every night in repeating the Ahadith he learnt from Muhammad Rasul-Allah ﷺ.

The memorization was not a weaker source of preservation of Ahadith, as sometimes is presumed by those who have no proper knowledge of the science of Hadith. Looked at in its true perspective, the memories of the reliable reporters of Ahadith were no less reliable a source of preservation than compiling the Ahadith in book form.

Preservation through writing

The third source of Ahadith preservation was writing large number of the Companions of Muhammad Rasul-Allah ﷺ recorded Ahadith in writing after hearing them from Muhammad Rasul-Allah ﷺ.

It is true that in the beginning Muhammad Rasul-Allah ﷺ had prohibited some of his Companions from writing any thing other than the verses of the Qur'an but as we mentioned earlier it was a temporary prohibition and this prohibition was not because the Ahadith had no authoritative value, but because Muhammad Rasul-Allah ﷺ had in the same breath ordered them to narrate his Ahadith orally. The full text of this Hadith is as follows:

لَا تَكْتُبُوا عَنِّي وَمَنْ كَتَبَ عَنِّي غَيْرَ الْقُرْآنِ فَلْيُمْنَحْهُ وَحَدَّثُوا عَنِّي وَلَا تَخْرُجْ وَمَنْ
كَذَّبَ عَلَيَّ قَالَ هَمَامٌ أَحْسِبُهُ قَالَ مُتَعَمِّدًا فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ ❁

Do not write [what you hear] from me, and whoever has written something [he heard] from me, he should rub it. Narrate to others from me: and whoever deliberately attributes a lie to me, he should prepare his seat in the fire.²⁷

The underlined phrase of the Hadith clarifies that prohibition for writing Hadith was not on account of negating its authority. The actual reason was that in the beginning of the revelation of the Qur'an, the Companions of Muhammad Rasul-Allah ﷺ were not fully familiar with the Quranic style, nor was the Qur'an compiled in a separate book form. In those days some Companions began to write the Ahadith along with the Quranic text. Some explanations of the Qur'an given by Muhammad Rasul-Allah ﷺ were written by some of them and mixed them with the Quranic verses without any distinctions between the two. It was therefore feared that it would lead to confuse the Quranic text with the Ahadith.

It was in this background that Muhammad Rasul-Allah ﷺ stopped this practice and ordered that anything written other than the Qur'an should be rubbed or omitted. It should be kept in mind that in those days' Companions used to compile every thing they heard from Muhammad Rasul-Allah ﷺ.

But this was a temporary phase of the earlier period of his *Nubbuwah*. When the Companions became fully conversant of the style of the Qur'an, this transitory measure of precaution was taken back, because the danger of confusion between the Qur'an and the Ahadith no longer existed.

At this stage, Muhammad Rasul-Allah ﷺ himself directed his Companion to write down the Ahadith. Some of his instructions in this respect are quoted below:

1. One Companion from the *ansar* complained to Muhammad Rasul-Allah ﷺ that he hears from him some Ahadith, but he sometimes forgets them. Muhammad Rasul-Allah ﷺ said:

اسْتَعِينْ بِيَمِينِكَ وَأَوْمَأْ بِيَدِهِ لِلْخَطِّ

“Seek help from your right hand and pointed out to writing.”²⁸

2. Rafi‘ Ibn Khadij says: I said to Muhammad Rasul-Allah ﷺ we hear from you many things, should we write them down? He replied:

اكتبوا لا حرج

“You may write there is no harm.”²⁹

3. Anas Ibn Malik reports that Muhammad Rasul-Allah ﷺ said:

قَيِّدُوا الْعِلْمَ بِالْكِتَابِ

“Preserve knowledge by writing.”³⁰

4. Abu Rafi‘ sought permission from Muhammad Rasul-Allah ﷺ to write Ahadith Muhammad Rasul-Allah ﷺ permitted him to do so. It is reported that the Ahadith written by Abu Rafi‘ were copied by other Companions too, Salma, a pupil of Ibn ‘Abbas says:

رَأَيْتُ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ مَعَ الرَّاحِ يَكْتُبُ عَلَيْهَا عَنْ أَبِي رَافِعٍ شَيْئاً مِنْ فِعْلِ رَسُولِ اللَّهِ ﷺ

“I saw some wooden boards with ‘Abd Allah Ibn ‘Abbas. He was writing on them some reports of the acts of Rasul-Allah ﷺ which he acquired from Abu Rafi‘.”³¹

5. ‘Abd Allah Ibn ‘Amr Ibn al ‘As reports that Muhammad Rasul-Allah ﷺ said to him:

قَيِّدُوا الْعِلْمَ

“Preserve knowledge.”³²

قلت: وما تقييده؟ قال: كتابته

“I asked how it should be preserved? He replied ‘by writing it’

6. It was for this reason that he used to write Ahadith frequently. He himself says:

كُنْتُ أَكْتُبُ كُلَّ شَيْءٍ أَسْمَعُهُ مِنْ رَسُولِ اللَّهِ ﷺ عَلَيْهِ وَسَلَّمَ أُرِيدُ جُعْلَةً فَتَهْتَبِسُ فَرَيْتُ وَقَالُوا أَتَكْتُبُ كُلَّ شَيْءٍ تَسْمَعُهُ وَرَسُولُ اللَّهِ ﷺ عَلَيْهِ وَسَلَّمَ يَنْتَكِلُ فِي الْغَضَبِ وَالرَّضَا

I used to write whatever I heard from Rasul Allah ﷺ and wanted to learn it by heart. Some people of the Quraish dissuaded me and said, ‘Do you write every thing you hear from Rasul-Allah ﷺ, while he is a human being and sometimes he may be in anger as any other human being may be?’

‘Abd Allah Ibn ‘Amr conveyed their opinion to Muhammad Rasul-Allah ﷺ in reply Muhammad Rasul-Allah ﷺ pointed to his lips and said:³³

والذى نفس محمد بيده ما يخرج مما بينهما الا حق، فاكتب.

“I swear by the one in whose hands is the soul of Muhammad, nothing comes out from these two [lips] except truth, so do write.”³⁴

It was a clear and absolute order given by Muhammad Rasul-Allah ﷺ to write each and every saying of him without any hesitation or doubt; it speaks authoritative nature of the Ahadith.

In compliance to this order, ‘Abd Allah Ibn ‘Amr wrote a large number of Ahadith and compiled them in a book which he named *al Sahifah al Sadiqah*.

7. During the conquest of Makkah (8.A.H) Muhammad Rasul-Allah ﷺ delivered a detailed sermon containing a number of *Shar‘i* imperatives, including human rights. One Yemeni person from the gathering, namely Abu Shah requested Muhammad Rasul-Allah ﷺ to provide him the sermon in a written form. Muhammad Rasul-Allah ﷺ thereafter ordered his Companions as follows:

اكتبوا لابي شاه

“Write it down for Abu Shah.”³⁵

For diffusion of Sunnah Muhammad Rasul-Allah ﷺ himself had ordered his Companions to write down the Ahadith on various occasions. Some instances of there orders are given below:

‘Abd Allah Ibn ‘Umar reports:

كتب رسول الله ﷺ كتاب الصدقه

“Rasul-Allah ﷺ compiled [on his order book was compiled] *Kitab al Sadqah*.”³⁶

9. Abu Rashid al Harani reports that, ‘Abd Allah Ibn ‘Amr Ibn ‘As presented a book before me and said:

هذا ما كتب لى رسول الله ﷺ

“This is what Rasul-Allah ﷺ wrote for me.”³⁷

10. ‘A’isha Sidiqah reports that:

وجد فى قائم سيف رسول الله ﷺ كتابان

“Two written leaves were found under the handle of Rasul-Allah’s ﷺ sword.”³⁸

11. Yazid Ibn ‘Abd Allah reports that, a person had a piece of red leather, various commands were written over it, and we asked him:

من كتب لك هذا الكتاب! قال رسول الله ﷺ

“Who wrote this book for you? He replied Rasul-Allah ﷺ.”³⁹

12. Musa Ibn Talha reports that:

عندنا كتاب معاذ عن النبي ﷺ

“We have Mu‘adh’s book which he got [heard] from al-Nabiyy ﷺ.”⁴⁰

13. Jabir reports that:

٢٧٧١ ومعه من محمد بن زافع حَدَّثَنَا عَبْدُ الرَّزَّاقِ أَخْبَرَنَا ابْنُ جُرَيْجٍ أَخْبَرَنِي أَبُو الزُّبَيْرِ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ كَتَبَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى كُلِّ بَطْنٍ عَقُولَهُ ثُمَّ كَتَبَ أَنَّهُ لَا يَجِلُّ لِمُسْلِمٍ أَنْ يَتَوَاتَى مَوْلَى رَجُلٍ مُسْلِمٍ بِغَيْرِ إِذْنِهِ ثُمَّ أَخْبَرْتُ أَنَّهُ لَعَنَ فِي صَحِيفَتِهِ مَنْ فَعَلَ ذَلِكَ ❁

al-Nabiyy ﷺ made it obligatory for every tribe [the payment] of blood wit; he then also made it explicit that it is not permissible for a Muslim to make himself the ally [of the slave emancipated by another] Muslim without his permission. He the narrators further added I was informed that he [Muhammad Rasul-Allah ﷺ] cursed the one who did that.⁴¹

14. A leaf let was written for all believers:

وشهد على نسخته هذه الصحيفة صحيفته رسول الله ﷺ

على بن ابي طالب وحسن بن علي وحسين بن علي.

“To ensure it that it is a journal of Rasul-Allah ﷺ there were signatures of ‘Aliyy Ibn Abi Talib, Hasan Ibn ‘Aliyy and Husain Ibn ‘Aliyy over it.”⁴²

15. Imam Taw’us reports:

عندنا في كتاب رسول الله ﷺ في الانف اذا قطع ما رنه مائه من الابل

“In a book of Rasul-Allah ﷺ which we had, it was written in it that if front portion of nose is cut-off the blood money will be hundred (100) camels.”⁴³

ان رسول الله ﷺ كتب الى اهل اليمن كتاباً فيه الفرائض واسنن والديات وبعث به عمرو بن حزم.

16. Rasul-Allah ﷺ sent ‘Amr Ibn Hazam with a booklet to the people of Yemen which was based on the details of *fariad* and *diyat*.⁴⁴

Imam Zuhri reports that I have read this journal it was in the custody of Abu Bakr Ibn Hazam.

17. Imam Muhammad Ibn Muslim says:

هذه نسخته كتاب رسول الله ﷺ الذي كتبه في الصدقة وهي عند آل عمرين خطاب.

“This [book] is copy of Rasul-Allah’s ﷺ book which he wrote about *sadqah* this book was under the custody of ‘Umar Ibn Khatab’s family.”⁴⁵

18. ‘Abd Allah Ibn ‘Umar reports that:

بينما نحن حول رسول الله ﷺ نكتب اذ سئل رسول الله ﷺ اى المدينه تفتح
اولا قسطنطينيه اور روميه فقال النبى ﷺ لا بل مدينه هرقل اولاً.

We were sitting around Rasul-Allah ﷺ and were writing when Rasul-Allah was asked which town/city will be taken over first, Qastantaniyah or Rome? Al-Nabiyy ﷺ replied no, but Harquls city will be taken over first.⁴⁶

19. Abu Bakr’s written journal:

عن انس ان ابا بكر كتب له هذا الكتاب لما وجهه البحرين. هذا فريضة الصدقه التى
فرض رسول الله ﷺ على المسلمين والتى امر الله بهارسوله.

“Anas reported that, when I was sent to Bahrin as governor by Abu Bakr he gave me this journal in which it was written ‘These are the commands about *sadqah* which Rasul-Allah ﷺ had made over Muslims about which Allah ordered His Rasul.”⁴⁷

20. Abu Bakr narrates that Rasul-Allah ﷺ said:

من كتب عني علماً وكتب معه صلواته لم يزل في اجر ما قرئ ذلك الكتاب.

“One who writes down knowledge [Hadith] from me and with it writes down also blessings on me, he will get reward continuously as long as [people] read this book.”⁴⁸

These twenty examples are more than sufficient to prove that writing of Ahadith was not only permitted but also ordered by Muhammad Rasul-Allah ﷺ and that the earlier prohibition against writing was only for a temporary period to avoid any possible confusion between the verses of the Qur’an and the Ahadith. After this temporary period the fear of confusion ended, the ban was lifted and the Companions were persuaded to preserve Ahadith in a written form.

‘Umar Faruq’s written booklet:

‘Umar had also compiled a book regarding *zakah*, Muhammad Ansari reports:

ان عمر بن عبد العزيز حين استخلف ارسل الى المدينه يلتمس عهد رسول الله ﷺ
فى الصدقات فوجده عند آل عمرو بن حزم كتاب النبى ﷺ الى عمرو بن حزم فى
الصدقات ووجد عند آل عمرو بن خطاب كتاب عمر الى عماله فى الصدقات بمثل
كتاب النبى ﷺ على عمرو بن حزم تأمر عمر بن عبد العزيز عماله على الصدقات
ان ياخذوا بما فى ذينك الكتابين فكافيهما.

When ‘Umar Ibn ‘Abd ‘Aziz became the *khalifah*, he send some people to Madinah in search of Rasul-Allah’s *kitab al sadqah*. It was obtained in the family of ‘Amr Ibn Hazam, it was the book which was written for ‘Amr Ibn Hazam and ‘Umar’s book was obtained from the family of ‘Umar Ibn Khattab, ‘Umar’s book regarding *sadqah* was similar to al-Nabiyy’s book. ‘Umar Ibn ‘Abd al ‘Aziz ordered his collectors to collect *sadqah* according to the commands of these two books.⁴⁹

Another booklet of ‘Umar:

٢٠٢٩ م رثنا بُنْدَارٌ حَدَّثَنَا أَبُو أَحْمَدَ الزُّبَيْرِيُّ حَدَّثَنَا سَفْيَانُ عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ عَنْ حَكِيمِ بْنِ عُبَادٍ بْنِ حَنْتَبٍ عَنْ أَبِي أُمَامَةَ بْنِ سَهْلٍ بْنِ حَنْتَبٍ قَالَ كَتَبَ عُمَرُ بْنُ الْخَطَّابِ إِلَى أَبِي عُبَيْدَةَ أَنَّ رَسُولَ اللَّهِ ﷺ عَلَيْهِ وَسَلَّمَ قَالَ اللَّهُ وَرَسُولُهُ مَوْلَى مَنْ لَا مَوْلَى لَهُ وَالْخَالُ وَارِثُ مَنْ لَا وَارِثَ لَهُ ﴿٥٠﴾

“Umar wrote to Abu ‘Ubiadah that; Rasul-Allah ﷺ has said: Allah and His Rasul ﷺ is the heir of that person who has no successor [heir] and the maternal uncle is the heir of one who had no heir.”⁵⁰

Written commands of ‘Umar:

١٦٤٣ م رثنا مُحَمَّدُ بْنُ بَشَّارٍ حَدَّثَنَا مُعَاذُ بْنُ هِشَامٍ حَدَّثَنَا أَبِي عَنْ قَتَادَةَ عَنْ الشَّعْبِيِّ عَنْ سُؤَيْدِ بْنِ غَفَلَةَ عَنْ عُمَرَ أَنَّهُ خَطَبَ بِالْجَابِيَةِ فَقَالَ نَهَى نَبِيُّ اللَّهِ ﷺ عَنِ الْخُرْبِرِ إِلَّا مَوْضِعَ أَصْبَعَيْنِ أَوْ ثَلَاثٍ أَوْ أَرْبَعٍ ﴿٥١﴾

“Umar in his sermon said: Nabiyy of Allah ﷺ has prohibited use of silk except from having as much as this: equal to two, three or four fingers.”⁵¹

مَا أَحْزَرَ الْوَلَدُ أَوْ الْوَالِدُ فَهُوَ لِعَصِيْبِيهِ مَنْ كَانَ قَالَ فَكَتَبَ لَهُ كِتَابًا فِيهِ شَهَادَةُ عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ وَزَيْدِ بْنِ قَابِطٍ وَزَيْلِجٍ آخَرَ ﴿٥٢﴾

The property which the father and son will add up is for their *‘asbah* whosoever he is, then ‘Umar wrote this verdict and as an evidence make it to sign by ‘Abd al Rahman Ibn ‘Auf, Zaid Ibn Thabit and another person.⁵²

‘Abd Allah Ibn ‘Umar narrates:

Rasul-Allah ﷺ wrote a book called *kitab al sadqah* and Abu Bakr and ‘Umar used to act according to this written book.

‘Umar Faruq said to fellow Muslims:

١٧٦١ م أَخْبَرَنَا يَزِيدُ بْنُ هَارُونَ أَخْبَرَنَا عَاصِمٌ عَنْ مُوَرِّقِ الْعَجَلِيِّ قَالَ قَالَ عُمَرُ بْنُ الْخَطَّابِ تَعَلَّمُوا الْقُرْآنَ وَاللُّغْنَ وَالشُّعْنَ كَمَا تَعَلَّمُونَ الْقُرْآنَ ﴿٥٣﴾

“Do learn *‘Ilm al faried* (knowledge of inheritance) and al Sunnah as you learn the Qur’an.”⁵³

Written journal was sent to ‘Uthman:

عَنْ ابْنِ الْحَقِيقَةِ قَالَ أَرْسَلَنِي أُمِّي فَأَذْهَبَ إِلَى عُثْمَانَ بِالْكِتَابِ فِيهِ أَمْرُ النَّبِيِّ ﷺ فِي الصَّدَقَةِ.

“Ibn Hanfiyah said, my father send me with written book to ‘Uthman the book was based on the commands of al-Nabiyy ﷺ regarding *sadqah*.”⁵⁴

Written book of ‘Aliyy:

١٠٨ حدثنا محمد بن سلام قال أخبرنا وكيع عن صفيان عن مطرف عن الشعبي عن أبي جحيفة قال قلت لعلي بن أبي طالب هل عندكم كتاب قال لا إلا كتاب الله أو فهم أعطيه رجل مسلم أو ما في هذه الصحيفة قال قلت فتأ في هذه الصحيفة قال العقل وفكاك الأمير ولا يقتل مسلم بكافر

Abi Juhaifah narrates that I asked to ‘Aliyy, Do you have any book? He said, No but whatever is in this booklet, I asked: what is in this booklet? He said (something) about blood money, release of prisoner and that Muslim will not be killed against the infidel.⁵⁵

‘Aliyy used to say:

إذا كتبتم الحديث فاكتبوه باسناده

“Write Hadith with its chain of narrators.”⁵⁶

‘Abd Allah Ibn ‘Amr Ibn al ‘As’s book:

‘Abd Allah Ibn ‘Amr wrote a book of Hadith called *Sadiqah* Abu Hurairah said about ‘Abd Allah Ibn ‘Amr.

لَيْسَ أَحَدٌ مِنْ أَصْحَابِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَكْثَرَ حَدِيثًا عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِنِّي إِلَّا عَبْدُ اللَّهِ بْنُ عَمْرٍو فَإِنَّهُ كَانَ يَكْتُبُ وَكُنْتُ لَا أَكْتُبُ

“No one among the Companions of Rasul-Allah ﷺ use to narrate Ahadith from Rasul Allah ﷺ more than me except ‘Abd Allah Ibn ‘Amr because he used to write down [Ahadith] I did not write.”⁵⁷

Abu Hurairah’s book of Hadith:

Although Abu Hurairah did not write Ahadith during the life time of Muhammad Rasul-Allah ﷺ but after Rasul-Allah’s ﷺ demise he too wrote books of Ahadith. Ibn Wahab narrates from *tabi*‘.

فاخذ بيدي الى بيته فارانا كتبنا من حديث النبي ﷺ وقال هذا هو مكتوب عندي

“Abu Hurairah holds my hand and took me to his home and showed me the books of Hadith of al-Nabiyy and said: It is also [available] with me in writing.”⁵⁸

Abu Hurairah had compiled a book for his disciple Hammam called *Sahifah Hammam* it has been published with a foreword written by Dr. Hamid Allah.

‘Abd al ‘Aziz Ibn Marwan, governor of Egypt wrote to Kathir Ibn Murah which ever the Ahadith of Companions of Muhammad Rasul-Allah ﷺ is available to you send then to me in writing.⁵⁹

One book of Ahadith of Abu Hurairah was edited and compiled by his disciple, Bashir Ibn Nahik, Darmi narrated from him that he said: what ever I use to hear from Abu Hurairah I use to put it in writing and when I decide to left him.

اتيت به كتابي فقلت هذا سمعته منك قال نعم.

“I presented this book before him re him, and told him this is what I heard from you, he replied yes.”⁶⁰

Dr. Hamid Allah reports that, son of ‘Amr, Ibn Umayyah who was disciple of Abu Hurairah narrates that:

ارانا كتباً كثيره من حديث رسول ﷺ

“(Abu Hurairah) showed us number of Hadith books of Rasul.”⁶¹

‘Abd Allah Ibn Awfa’s book of Hadith:

Dr. Hamid Allah writes that, ‘Abd Allah Ibn Awfa used to write down Ahadith and it seems he used to teach people through letters and journals, as is evident from various chapters of *Sahih Bukhari*.⁶²

Samurah Ibn Jundab’s Hadith:

Samurah Ibn Jundub had also compiled a book and this book was with Imam Hasan Basri.

انما يحدث عن صحيفته سمره

“And he used to read out Hadith from Samurah’s book.”⁶³

Dr. Hamid Allah writes that Samurah Ibn Jundub had also collected Ahadith which Suliaman Ibn Samurah, his son, got in the legacy. Ibn Hajr had written that Sulaiman in reference to his father narrated a large booklet. Ibn Sarin says there was lot of knowledge in this booklet which Samurah wrote for his son.

Sa‘id Ibn ‘Ibadah’s book of Hadith:

وجدنا في كتاب سعد ان النبي ﷺ قضى باليمين مع الاهد

“We have seen in the Sa‘id’s book that al-Nabiyy ﷺ had given decision on one witness and a oath.”⁶⁴

‘Abd Allah Ibn ‘Abbas’s book of Hadith:

‘Abd Allah Ibn ‘Abbas wrote number of books of Hadith, these books became widely known in his lifetime itself. ‘Ikramah writes:

ان نقرأ قدموا على ابن عباس من اهل الطائف بكتاب من كتبه فجعل يقرأ عليهم

“Few persons from Tai’f brought one of the books from Ibn ‘Abbas’s book before him he readout this book to them.”⁶⁵

Dr. Hamid Allah writes that it is clear by *mutawatir* narration that, when Ibn ‘Abbas passed away he left so many books that they were loaded on a camel.⁶⁶ Anas Ibn Malik’s book of Hadith: Sa‘id Ibn Hilal narrates:

كنا اذا اكثرنا على انس بن مالك فاخرج الينا محالاً عنده فقال

هذا سمعتها من النبي ﷺ فكتبتها وعرصتها عليه

“Whenever we questioned Anas [about Hadith] he used to bring out large quantity of Hadith [in written form] and said: These are the Ahadith which I heard from al-Nabiyy ﷺ and write down them in his life time and presented them before him (Rasul-Allah ﷺ).”⁶⁷

Anas used to preserve Hadith in written form:

In *Sunan al Darimi* a narrator says that:

رائت ابان يكتب عند انس

“I have seen Abban used to write [Hadith] in front of Anas.”⁶⁸

Anas used to say to his disciples:

يا بني قيدوا هذا العلم

“O! My children preserve this knowledge in writing.”⁶⁹

Jabir’s book of Hadith:

Jabir too had written a book, Sulaiman Taimi said:

ذهبوا بصحيفته جابر بن عبد الله الى الحسن البصري فاخذها

“Jabir went to Hasan al Basri with his booklet and he took it from him.”⁷⁰

Collection of ‘A’isha’s Ahadith:

Her nephew ‘Aarwah Ibn Zubair had collected her Ahadith:⁷¹

‘Umrah bint ‘Abd al-Rahman and Qasim Ibn Muhammad were brought up by ‘A’isha and were adorn by the treasure of knowledge. All Ahadith of ‘Umrah were compiled by the orders of ‘Umar Ibn ‘Abd al ‘Aziz and thus were preserved.⁷²

Dr. Hamid Allah writes that the narration of Sulaiman Ibn Musa is that, he had seen Nafi’ [freed slave of Ibn ‘Umar] Ibn ‘Umar was dictating him and he was writing.⁷³

‘Abd Allah Ibn Mas‘ud’s book of Hadith:

Ibn Mas‘ud had also written a book. His son ‘Abd al Rahman brought a book and swear that it has been written by Ibn Mas‘ud.

حلف لي انه خط ابيه بيده

“He swears before us that this is my father’s hand writing.”⁷⁴

Disciples of Bra’ used to write Ahadith:

People used to write down Ahadith [which they hear from Bra’] in front of him.⁷⁵

Sa‘id Ibn Rabi‘’s book of Hadith:

Sa‘id Ibn Rabi‘ too had written book, Dr Hamid Allah has discussed his book in foreword of *Sahifah Hamam*.⁷⁵

Hadith Book of Mu‘adh Ibn Jabal:

It is learnt from the compiled books of Ahadith that Mu‘adh had compiled book of Ahadith Ibn Tawus from his father Tawus Ibn Kaisan narrates:

في كتاب معاذ بن جبل من ارتهن ارضاً فهو بحسب ثمرها لصاحب الرهن

“It was in the book of Mu‘adh Ibn Jabal that the person who mortgages the land will remain owner of the land with its fruits.”⁷⁷

Journals of Hasan and Husain:

Muhammad Ibn Ishaq has written in *Kitab al Fahrist* that he had seen the written Ahadith (which were written on the orders of Rasul-Allah) and some Ahadith which were written by ‘Aliyy, Hasan and Husain and other Companions.⁷⁸

Zaid Ibn Thabit’s Hadith book:

It is in *Tawjih al Nazar* that Zaid Ibn Thabit had written a book about the laws of inheritance.⁷⁹

We have discussed three major methods undertaken by the Companions of Muhammad Rasul-Allah ﷺ to preserve the Ahadith. An objective study of these methods would prove that although writing was not the sole method of their preservation, yet it was never neglected in this process. Inspired by Muhammad Rasul-Allah ﷺ himself a large number of his Companions as we mentioned above in detail used to secure the Ahadith in written form when we study individual efforts of the Companions for compiling Ahadith, and his four successors. These authentic narrations had proved it beyond any doubt that the propaganda of some Orientalists and *Munkirun-al-Hadith* ‘those who did not except Ahadith as legal authority’ that Hadith collection took place only under the rule of ‘Umar Ibn ‘Abd al ‘Aziz and book of Ahadith were compiled only in 3rd and 4th century A.H till then people used to rely on their memory only, is absolutely baseless. As far as narration of Ahadith is concerned before we conclude first phase of this chapter

we wish to write down some dictations of Muhammad Rasul-Allah ﷺ which were put into writing by his Companions.

1. Muhammad Rasul-Allah ﷺ has dictated documents containing rules of *Shari'ah* about the levy of *zakah*, and specifying the quantum and the rate of *zakah* in respect of different assets. This document was named *Kitab al Sadqah*.⁸⁰
 2. In 10 A.H when Najran was conquered by the Muslims, Muhammad Rasul-Allah ﷺ appointed his Companion 'Amr Ibn Hazm as governor of the province of Yemen, at this time he dictated a detailed book to Ubai Ibn Ka'b and handed it over to 'Amr Ibn Hazm.
 3. When Muhammad Rasul-Allah ﷺ appointed some of his Companions as governors of different provinces he used to dictate to them similar documents as his directives which they could follow while performing their duties as rulers or as judges. When he appointed Abu Hurairah and Ala' Ibn al Hazrami as his envoy to the Zoroastrians of Hajar, he dictated to them a directive containing certain rules of *Shari'ah* about *zakah* and '*ushr*'.⁸¹
 4. Certain Arab tribes who lived in remote areas far from Madinah, after embracing Islam used to send their delegations to Muhammad Rasul-Allah ﷺ. These delegations used to stay at Madinah for a considerable period during which they would learn the teachings of Islam, read the Qur'an and listen the sayings of Muhammad Rasul-Allah ﷺ. When they returned to their homes, some of them requested Muhammad Rasul-Allah ﷺ to dictate some instructions for them and for their tribes. He used to accept their requests and would dictate some directions containing rules of *Shari'ah*.
1. Wa'il Ibn Hujr before leaving to Yemen, requested Muhammad Rasul-Allah ﷺ.

اكتب لى الى قومى كتاباً

“Write me a book addressed to my tribe.”⁸²

Muhammad Rasul-Allah ﷺ dictated three documents to Ma'wiyah one of these documents pertained to personal problems of Wa'il Ibn Hujr, while the other two consisted of certain general precepts of *Shari'ah* concerning *salah*, *zakah*, prohibition of wine, usury and certain matters.⁸³

2. Munqiz Ibn Hayyan, a member of the tribe of 'Abd al Qais came to Muhammad Rasul-Allah ﷺ and embraced Islam, while returning to home he was given a written document by Muhammad Rasul-Allah ﷺ which he carried to his

tribe but initially he did not disclose it to anyone when, due to his efforts his father-in-law embraced Islam, he handed over the document to him who in turn read it before his tribe which subsequently embraced Islam.

3. The delegation of the tribe of Ghamid came to Muhammad Rasul-Allah ﷺ and embraced Islam. He sent them to Ubai Ibn Ka'b who taught them the Qur'an and:

وكتب لهم رسول الله ﷺ كتاباً فيه شرائع الاسلام

“Rasul-Allah ﷺ wrote document for them regarding the teachings of Islam.”⁸⁴

4. The delegation of the tribe Khas'am came to Muhammad Rasul-Allah ﷺ while discussing their arrival Ibn Sa'id reports on the authority of different reliable narrators.

فقالوا آمنا بالله ورسوله وما جاء من عند الله فاكتب لنا كتاباً نبتع ما فيه،

فكتب لهم كتاباً شهد فيه جرير بن عبد الله ومن حضر

They said ‘We believe in Allah, His Rasul and whatever has come from Allah’. So write for us a document that we may follow. He (Muhammad) wrote a document for them, Jarir Ibn ‘Abd Allah and those present stood as witnesses to that document.⁸⁵

5. The delegation of the tribe of Sumalah and Huddan came after the conquest of Makkah. They embraced Islam. Muhammad Rasul-Allah ﷺ dictated for them a document containing Islamic injunctions about *zakah*, Thabit Ibn Qais had written the document and Sa'id Ibn 'Ubadah and Muhammad Ibn Masllamah stood as witnesses.⁸⁶

6. The same Thabit Ibn Qais also wrote a document dictated by Muhammad Rasul-Allah ﷺ for the delegation of the tribe of Aslam. The witnesses were Abu 'Ubaidah Ibn Jarah and 'Umar Ibn Khattab.⁸⁷

We have seen how Muhammad Rasul-Allah ﷺ taught his Ahadith and Sunnah and how it was received by the Companions. As the Companions were the direct disciples of Muhammad Rasul-Allah ﷺ, they had the special privilege and duty to spread his teachings. However in later days, (in the period of *tab'in* and *tab'tab'in* which we will discuss little later) as the knowledge of Ahadith spread all over the Muslim world, gathering of knowledge or collection of Ahadith required much more extensive travelling, so new methods of learning had to be developed. Imam Ibn Taimiyyah discussed them in his *Fatawa* at length; we will discuss them here briefly:

1. *Haddathana* : He narrated to us.
2. *Akhbarana* : He informed us.

- | | | |
|-----|-----------------------------------|---------------------------------|
| 3. | <i>Anb'ana</i> | : We were told. |
| 4. | <i>Sama'</i> | : Listening. |
| 5. | <i>Ard (Qira't)</i> | : Reading. |
| 6. | <i>al Mushafah wal MunawAllah</i> | : Handing over the book. |
| 7. | <i>al Makatibah</i> | : Correspondence. |
| 8. | <i>al Ijazah</i> | : Permission. |
| 9. | <i>al Wajadah</i> | : Finding the book. |
| 10. | <i>Wasiyah</i> | : To make some one trustworthy. |

There are many terms employed by *muhaddithun* for this purpose. As every *sanad* contains many names therefore these terms are repeated frequently brief definition of these terms is as follows:

1. *Haddathana* : is used mostly to denote learning through the reading by teacher (1st method).
2. *Akhbarana* : is used to denote learning through the second method, though some of the scholars used these two terms interchangeably.
3. *Anb'ana* : is used in *Ijazah* and *Munawallah* and sometimes even *Haddathana*, *Ijazatana* is used in *MunawAllah*.⁸⁸

According to Imam Ibn Taimiyyah all these terms are not of equal value, *Sami'tu Haddathana*, *Haddathani*, *Akhbarana* and *Akhbarani* are the most superior, though the authorities differ about which is best among them. However, *'an* is very inferior.

4. *Sama'* : reading by the teacher to students, this method has the following features, oral recitation, reading from books, question and answer and dictation.

a) Oral recitation of Ahadith by the teacher

This practice began to decline from the second half of the second century A.H, through it persisted to a much lesser extent for a long period. Usually, the students more attached to a certain teacher for a very long time, until they were believed to be authorities on the Ahadith of their teachers. Some times they were called *rawi*, or *sahib* of so and so. Even if regular meetings were held for the teaching, only a few Ahadith were taught in one lesson say about three or four.

b) Reading from books

Reading by the teacher from his work, this method had great pitfalls for the teachers who did not learn their Ahadith by heart. Some students and scholars played tricks. They would insert Ahadith here and there into the teacher's Ahadith and hand over the book to the teacher for reading, to examine the soundness of his

knowledge and memory. Teachers who failed to recognize the additional material were denounced and declared untrustworthy.

c) Question and answer

In this method students used to read a part of the Hadith and the teacher read it in full.

d) Dictating the Ahadith

Apart from Muhammad Rasul-Allah's ﷺ dictation and his Companion's rare dictation of Ahadith, perhaps the Companion Wathilah Ibn Asqa was the first who held classes for dictation. There were certain scholars who had an extreme distaste for dictation and did not allow writing down the Ahadith. There were others who did not transmit Ahadith until the students wrote them down. Some of them even refused to dictate Ahadith if the students used wooden boards from which the writing could be erased. There were some students who wrote down Ahadith and after memorizing them, erase them, and some used to learn them by heart and write down them only after memorizing them.

e) The method of dictation

For dictation, two methods were employed either from a book or by memory. In some cases the students refused to write Ahadith being dictated from memory. Yet it seems that it was the fashion of the time to rely on memory in transmitting or dictating Ahadith.

f) The *Mustamlis*

The dictation method, due to large audience, gave rise to a new type of work for certain people who were called *Mustamlis*. They used to repeat the words of *Shaikh* in a loud voice to the audience.

g) To select someone for writing

As all the students could not write rapidly, some times a fast writer was chosen to write down Ahadith, while other watched him writing, lest he should make any mistake. Later, either they borrowed the books or copied them in presence of the owner, in literary circles a class of scribes or *warraqun* was found for the purpose of copying.

h) The correction of written copies

It seems that the scholars were aware of the importance of revision after copying. Therefore we find them constantly advising their students, even helping

them, in revision after copying. After copying or dictating, either the students helped each other to correct the copies or did so under the supervision of their teachers.

i) The writing materials

It seems that wooden boards were mostly used for writing dictation and taking notes, from which, later on, fair, copies were made. A special shorthand method was sometimes used to save time and space.

5. *'Ard*: reading to teachers

Another method was that the book was read by the students to the teacher or by a certain man called a *qari* and other students' compared Ahadith with their books or only listened attentively. Later they copied from the books. This book method was called *'Ard* unfamiliarity with this terminology may cause misunderstanding even to Arabs.

It seems that *'Ard* was the most common practice from the beginning of the second century A.H. In this case either copy were provided by the teachers themselves as many of them had their own scribes, *katib* or *warraq* or students had their own books, copied earlier either from the original or from another copy of the same work. In copying they usually made a circular mark after every Hadith. Whenever a student finished the reading of a Hadith he makes a sign in the circle or some where else to show that this Hadith had been read to the teacher. This was necessary because even when a student knew Ahadith through books he was not entitled to use these materials for teaching or for his own compilation till he received them through properly recognized methods of learning. If one did not follow this method, he could be accused of stealing Hadith, *sariq al Hadith* which meant that a scholar used materials in teaching or in compiling his book which even though genuine, were not obtained through the proper way.

When a Hadith was read more than once the students made additional marks for every reading and sometimes scholars read the same book several times.

6. *al Ijazah* : permission

In Hadith terminology *ijazah* means to permit someone to transmit a Hadith or a book on the authority of a certain scholar who gave this permission, without having read the book to him. There have been different kinds of *ijazah*. Until the third century A.H it is difficult to find signs of the *ijazah* system, but after that it was widely used. There have been differences of opinion about its validity. This system in certain cases provided a kind of safeguard for the text also.

7. *al Munawallah* : Handing over the book to a student

When teacher gave a student a manuscript along with the authority to transmit it, for example, Zuhri gave his manuscript to several scholars, like Thauri, Auzai' and 'Ubaid Allah Ibn 'Umar. It was called *munawAllah*. This was not a common practice in the early days.

8. *al Makatibah* : Correspondence

This means to handover Ahadith to someone else to transmit them. In modern terminology this could be called learning by correspondence. There were quite good deals of activities of this sort. This practice started from very early days, and can be assumed to have started from the very beginning. Official letters of the rightly guided *Khulfah* contained many Ahadith which were transmitted by scholars. Besides this many Companions and their followers wrote down Ahadith and sent them to their students.

9. *al Wajadah* : to find someone's book

That is to find someone's book without any sort of permission to transmit on anyone's authority. This was not a recognized way of learning a Hadith. According to the standard of the *muhaddithun* one must state explicitly that the information he presented had been taken from the book of such a man.⁸⁹

10. *I'lam* : to inform about Ahadith

I'lam to inform someone that informer has permission to transmit a certain book on certain scholars authority. Some of the scholars permitted this method of transmitting a Hadith while others rejected it. The only benefit from it was that the second person had to find the original copy which bore the certificate and the name of the person who gave permission.

11. *Wasiyah* : make someone trustworthy

To entrust someone the book which may be transmitted on the authority of the one who entrusted the books.⁹⁰

Compilation of Ahadith by *Tab'in*

1. 'Umar Ibn 'Abd al 'Aziz in his *Khilafah* draw the attention of some of the scholars, who were famous for Hadith narration that, they should collect Ahadith in written form, Imam Bukhari narrates:

كَتَبَ عُثْمَانُ بْنُ عَبْدِ الْعَزِيزِ إِلَى أَبِي بَكْرٍ بْنِ خَزْمٍ أَنْظِرْ مَا كَانَ مِنْ حَدِيثِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَأَكْتَبْنَاهُ
فِي إِيَّاسٍ حِفْظًا لِدَوَائِبِ الْعِلْمِ وَذَهَابِ الْغُلَاءِ لَا تَقْبَلِ إِلَّا حَدِيثَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَتَنَفَّسُوا الْعِلْمَ
وَتَنَجَّلُوا خَشْيَ يَعْلَمُ مَنْ لَا يَعْلَمُ فَإِنَّ الْعِلْمَ لَا يَهْلِكُ حَتَّى يَكُونَ سِرًّا ۞

‘Umar Ibn ‘Abd al ‘Aziz wrote to Abu Bakr Ibn Hazm that keep watch on the Hadith of Rasul-Allah ﷺ and put them in writing. I am afraid that religious knowledge will vanish and the learned men will decrease. Do not accept any narration other than Hadith of al-Nabiyy ﷺ. And you must spread knowledge and do not take rest until people come to know what they do not know, knowledge dies only when concealed.⁹¹

‘Allamah Ibn al Birr writes that Abu Bakr Hazm in accordance to this order compiled a book of Ahadith but ‘Umar Ibn ‘Abd al ‘Aziz passed away before receiving this book. ‘Umar Ibn ‘Abd al ‘Aziz had also directed similar order to Imam Zuhri. Orders of ‘Umar Ibn ‘Abd al ‘Aziz about Hadith collection reached everywhere after collecting these copies of compiled Ahadith they were sent to every Muslim city.

2. Hammam Ibn Munabbih was also contemporary to ‘Umar Ibn ‘Abd al ‘Aziz, he also had obtained collection of Ahadith from his teacher Abu Hurairah and later-on not only narrated these Ahadith to his disciple Mu‘amar Ibn Rashid but also handed over to him all these Ahadith after him this collection of Ahadith passed on to his disciple ‘Abd al Rahman Ibn Hamaan Ibn Nafi‘ Imam Ahmad Ibn Hanbal got it from him and put it in his famous *Musanad Ahmad* two manuscripts of this *Sahifah Hammam Ibn Munabbih* has been recovered from the libraries of Berlin and Damascus. Dr. Hamid Allah has done good research work on it.

3. ‘Allamah Ibn Shahab Zuhri also started Hadith writing on the instructions of ‘Umar Ibn ‘Abd al ‘Aziz, Saleh Ibn Kaysan also used to write Hadith with him, he said:

اجتمعنا انا وابن شهاب ونحن نطلب العلم فاجتمعنا ان نكتب السنن فكتبنا
كل شئ سمعناه عن النبي ﷺ ثم كتبنا ايضاً ما جاء عن اصحابه فقلت
ليس بسننه فكتب ولم اكتب فافجع وضعيت

Ibn Shahab Zuhri and I used to search for Ahadith jointly, we were in agreement that we will write down Ahadith thus, we wrote every thing we heard of al-Nabiyy ﷺ then we decided to write narrations of his Companions too but I said I will not write it as it is not Sunnah, thus, he wrote and succeeded and I wasted my time.⁹²

4. Collection of Imam Sha‘bi was compiled by ‘Allamah Sha‘bi himself and he himself has done its chapterization. It was the first book of Ahadith which was

compiled in chapters; this book has been discussed in *al Kifayah* of Khatib Baghdadi and *Fatah al Bari* of Hafiz Ibn Hajr.

Muhaddithun among the Tab'in

Among the *tab'in* Hasan Basri (d.110, A.H) Makhul (d.111 A.H) Salim (d.104 A.H) 'Atta Ibn Rabah (d.115 A.H) Sa'id Ibn Musaib (d.93 A.H) Sa'id Ibn Jubair (d.95 A.H) Qais Ibn Abi Hazim (d.118 A.H) and Hisham Ibn 'Arwah (d.146 A.H) were known *muhaddithun* who worked sincerely and courageously for the collection and preservation of Ahadith. It is true that the compilation of Ahadith in a organized way and systematic manner took place only in the latter period of *tab'in* but to claim that collection and writing of Ahadith started in this latter period and nothing was done for the compilation of Ahadith before it, is absolutely baseless claim. We have seen above with certain continuity that the collection and compilation of Ahadith was carried out from the period of Rasul-Allah ﷺ itself, and with every passing day this work was done in more and more disciplined way and very soon it got official patronage which ultimately paved the way for its concrete preservation.

'Ilm al Hadith in 2nd Century A.H

After *tab'in* this mission was carried on by their successors (*tab'tab'in*) it was in this period when *taba' tab'in* compiled book of Ahadith, those who earn name in this regard were: Musa Ibn 'Aqbah (d.144 A.H) writer of *Maghazi*, Ibn Juraij (d.150 A.H), Mu'mar Ibn Rashid (d.184 A.H) in Makkah, Imam 'Awzai (d.157 A.H) in Yemen, Sa'id Ibn 'Aruba (d.156 A.H) in Syria, Imam Malik (d.179 A.H) and Ibn Abi Zai'b (d.159 A.H) in Madinah, Rabih Ibn Sabih (d.160 A.H) and Hamad Ibn Salma (d.167 A.H) in Basra, Sufiyan Thouri (d.181 A.H) Imam Abu Yusuf (d.182 A.H), Imam Muhammad (d.189 A.H) Hashim Ibn Bashir (d.183 A.H) Imam 'Abd Allah Ibn Mubarak (d.182 A.H) Mu'mar Ibn Sulaiman (d.187 A.H) in Kufah writer of *Maghazi* Jarir Ibn 'Abd al Hamid Razi (d.188 A.H), Imam Waki' Ibn al Jarah (d.196 A.H) and Sufyan Ibn 'Uyaynah (d.198 A.H) etc.

All these were contemporary and it is difficult to point out any one specifically among them for writing systematic book of Ahadith, but three names are on the top of the list: Ibn Juraij writer of *Kitab al Athar*, Mu'mar Ibn Rashid writer of *al Jami'* and Imam Malik writer of *Muwatta*.⁹³

Maulana 'Abd al Hai is of the opinion that the first systematic book of Ahadith is Ibn Juraij's *Kitab al Athar*, copy of *Jami'* Mu'mar's manuscript is available in Turkey. Mu'mar was disciple of Hammam Ibn Munabbih whose book *Sahifah Hammam Ibn Munabbih* is available now scholars consider it most ancient

book of Ahadith available in these days. Comprehensive and systematic book of Ahadith is no doubt *Muwatta* of Imam Malik, scholars consider this *Muwatta* first complete book of Ahadith after this, credit goes to Imam Abu Yusuf and Imam Muhammad who edited *Kitab al Athar* according to juristic chapters and collected all Ahadith favourable or unfavourable regarding this book thus, laid foundation for research and creative exertion Qadi Yusuf is known as *Musanif fil Hadith* (Author of Ahadith) *Kitab al Hujjah* and *Muwatta* of Imam Muhammad are also very ancient books of Ahadith.⁹⁴

After this period, begins the period of *Masanid* where Ahadith were compiled on the basis of Companions names: these Hadith books are named *Masanid* (pl.of *Musanad*) *Musanad* Abu Dawud Taiyalisi (d.204 A.H) *Musanad* Imam Shafi'i (d.204 A.H) *Musanad* Asad Ibn Musa al Amwi (d.212 A.H) *Musanad* 'Abd Allah Ibn Musa (d.213 A.H) Na'im Ibn Hamad al Khuzai' (d.228 A.H) Ishaq Ibn Rahwiyah (d.238 A.H) 'Uthman Ibn 'Aliyy Sha'iba (d.239 A.H) and Imam Ahmad Ibn Hanbal (d.241 A.H) are very known.

Golden era of Hadith Compilation

After the period of *tab' tab'in* collection of Hadith reaches on its peak when distinguished scholars of Hadith like Imam Bukhari (d.256 A.H), Imam Muslim (d.261 A.H), Imam Abu Dawud (d.275 A.H), Imam Abu 'Isa (d.279 A.H), Imam Nasa'i (d.303 A.H), and Imam Ibn Majah (d.273 A.H), compiled their authentic and reliable books of Ahadith called *Sihahi Sittah*. There were other scholars also who compiled Hadith books like Darimi (d.255 A.H) Dhabi (d.258 A.H) Muzni (d.274 A.H) Abu Yala Mousali (d.307 A.H) Ibn Jarir Tabri (d.310 A.H) 'Allamah Abu Ja'far Tahawi (d.321 A.H) Ibn Khuzima (d.321 A.H) Abu 'Awana (d.316 A.H) but their books did not get as reputation as *Sihahi Sittah*.

Fourth phase of Hadith Compilation

The Hadith compilation of 4th phase ends in the 5th century A.H the traces of the first era Hadith compilations are found in the afterward compilations almost everywhere. The material of 2nd era Hadith books is available in the Hadith books of 3rd era. And now this whole stock of Ahadith of every period spread over thousands of pages is available to us. Among the known *muhaddithun* of forth phase were Ibn Abi al 'Awam (d.335 A.H) Abu Muhammad al Harthi (d.340 A.H) Ibn Hayan (d.354 A.H) Tabrani (d.360 A.H) Abu Muhammad Hasan Ibn Muhammad (d.360 A.H) Ibn 'Idi (d.365 A.H) Ibn Shahin (d.370 A.H) Ibn Hazm (d.454 A.H) Hakim (d.405 A.H) Abu Na'im Asfahani (d.430 A.H) al Baihaqi (d.458 A.H) Khatib Baghdadi (d.403 A.H) Ibn 'Abd al Bir (d.463 A.H) whose services to *'Ilm al Hadith* will be remembered all times to come.

Fifth phase of Hadith Compilation

From the last half of the 5th century A.H up to the 7th century A.H is 5th era of *muhaddithun* with this period comes to an end to technical efforts and works, after this phase their remains no field for serving *‘Ilm Hadith* as far as its technical and creative aspect is concerned except *‘Ilm Asma al Rijal*, *takhrijat* and commentaries. The famous and reputed *muhaddithun* of this last phase were Baghwi (d.516 A.H) Qadi ‘Ayyad (d.544 A.H) Ibn Asakar (d.571 A.H) *Hafiz* ‘Abd al Ghani al Muqadasi (d.600 A.H) Imam Nawawi (d.676 A.H) Ibn Salah (d.693 A.H) Imam Ibn Taimiyyah (d.727 A.H) Ibn al Qayyim (d.751 A.H) who with other fields of Islam served *‘Ilm Hadith* in various capacities.

By narrating above details about Hadith compilation our primary objective is to highlight the efforts of Hadith compilation right from the days of Muhammad Rasul-Allah ﷺ up to 7th century A.H. All the procedures and methods which were possible and practicable in order to collect any knowledge were adopted to collect and compile the Ahadith of Rasul-Allah ﷺ, grading of *muhaddithun* and Ahadith gives more authenticity, accuracy and reliability to Ahadith. A complete and comprehensive *‘Ilm* regarding Ahadith came into existence called *‘Ilm al Hadith* which discusses each and every aspect of Ahadith, not only the chain of narrators but some times very text of the Hadith comes under scrutiny. By the grace of Allah and His promise for the preservation of the Qur’an and the Hadith, it became possible for us even after 14 hundred years to know the sayings and actions of Muhammad Rasul-Allah ﷺ without any ambiguity and confusion and being a last revelation it will remain available to mankind for guidance for ever.

Hadith and Sunnah

In the religious literature of Islam these two terms are considered to be synonymous with each other. We have discussed term Sunnah in chapter one of this research work in detail here we will discuss literal and technical meaning of Hadith only.

The meaning of word Hadith in the Qur’an

The Arabic word Hadith literally means communication, story, conversations, religious or secular, historical or recent. It has been used in the Qur’an 23 times. Here are few examples:

a) Religious communication:

اللَّهُ نَزَّلَ أَحْسَنَ الْكِتَابِ كِتَابًا

“Allah has revealed (from time to time) the most beautiful Message in the form of a Book.”

(al Zumar 39:23)

b) Story of a secular or general nature:

وَإِذَا رَأَيْتَ الَّذِينَ يَخُوضُونَ فِي آيَاتِنَا فَأَعْرِضْ عَنْهُمْ حَتَّى يَخُوضُوا

فِي حَدِيثٍ غَيْرِهِ ﴿٦٨﴾

“When you see men engaged in vain discourse about Our Signs, turn away from them unless they turn to a different theme.”

(al An‘am 6:68)

c) Historical story:

هَلْ أَتَاكَ حَدِيثُ مُوسَى ﴿١٥﴾

“Has the Hadith [story] of Musa reached you?”

(al Nazi‘at 79:15)

d) Current story or conversation:

وَإِذْ أَسَرَّ النَّبِيُّ إِلَى بَعْضِ أَزْوَاجِهِ حَدِيثًا ﴿٢﴾

“When Nabiyy confided a Hadith [a secret] to one of his wives”

(al Tahrim 66:3)

The meaning of word Hadith in the Hadith

The word was used in the same sense by Muhammad Rasul-Allah ﷺ, as it has been used in the Qur’an. Here are some examples:

a) Religious communication:

أَحْسَنَ الْحَدِيثِ كِتَابُ اللَّهِ ﴿٥٥﴾

“The best Hadith is the Book of Allah.”⁹⁵

b) Secular, a general conversation or tale:

مَنْ اسْتَمَعَ إِلَى حَدِيثِ قَوْمٍ وَهُمْ لَهُ كَارِهُونَ أَوْ يَفْرُونَ مِنْهُ، صَبَّ فِي أُذُنِهِ الْإِنِّكَ

“One who tries to eavesdrop on the Hadith (conversation) of the people when they dislike his doing and want to keep away from him, in the Hereafter hot copper will be poured in his ear.”⁹⁶

c) Historical story:

حَدِّثُوا عَنْ بَنِي إِسْرَائِيلَ ﴿١٠٠﴾

“You may transmit Hadith from Banu Isra’il.”⁹⁷

d) Current story, secret or conversation:

إِذَا حَدَّثَ الرَّجُلُ الْحَدِيثَ ثُمَّ التَّقَتْ فِيهِ أَمَانَةٌ

“If someone tells a Hadith [secret] then goes his way, his words become a trust.”⁹⁸

In the early days of Muhammad Rasul-Allah's ﷺ *Nubbuwah* the stories and communications of Muhammad ﷺ (Hadith) dominated all other kinds of communications, so this word began to be used almost exclusively for the narration about or from Muhammad ﷺ.

The meaning of Hadith according to *muhaddithun* and jurists

According to *muhaddithun* it stands for what was transmitted on the authority of Muhammad Rasul-Allah ﷺ, his deeds, sayings, tacit approvals, or description of his *Sifat* (features) meaning his physical appearance. However, physical appearance of Muhammad ﷺ is not included in the definition used by the jurists.⁹⁹

Imam Ibn Taimiyyah's definition of word Hadith

While replying to a question what is limit (*hadd*) of Hadith? Imam said: All praise to Allah; *Hadith Nabawi* means whatever has been reported from Muhammad Rasul-Allah after his *Nubbuwah*, his sayings, deeds and what he approved, the Hadith, consist all these three aspects. Whatever he said even if it is mere information, its affirmation is obligatory and when he prescribes anything as lawful or unlawful, undesirable or permissible obedience to his commands is obligatory also. There are many Quranic verses which not only speak about the *Nubbuwah* of *Anbiya'* but their infallibility also when they narrate anything from Allah thus, their information is nothing but truth (*haqq*) that's what *Nubbuwah* stands for. Rasul-Allah is bound to invite people to Allah's religion and to convey His teachings and commands to them. In nutshell the word Hadith means every thing Nabiyy said, did or approved after his *Nubbuwah*, particularly when there is a clear direction for us to follow what he said or did.¹⁰⁰

صَلُّوا كَمَا رَأَيْتُمُونِي أَصِلُّ

“Offer *salah* as you see me offering *salah*.”¹⁰¹

لِتَأْخُذُوا مِمَّا سَكَّرْتُ

“[I am here] so that you learn your rituals from me.”¹⁰²

What Allah has made lawful or unlawful for him is lawful or unlawful for *ummah* also, except there is concrete exception about any thing.

وَإِذْ تَقُولُ لِلَّذِي أَنْعَمَ اللَّهُ عَلَيْهِ وَأَنْعَمْتَ عَلَيْهِ أَمْسِكْ عَلَيْكَ زَوْجَكَ وَاتَّقِ اللَّهَ وَتُخْفِي فِي نَفْسِكَ مَا اللَّهُ مُبْدِيهِ وَتَخْشَى النَّاسَ وَاللَّهُ أَحَقُّ أَنْ تَخْشَاهُ فَلَمَّا قُضِيَ زَيْدُ مِنْهَا وَطَرًا زَوَّجْنَاهَا لَكَى لَا يَكُونَ عَلَى الْمُؤْمِنِينَ حَرَجٌ فِي أَزْوَاجِ أَدْعِيَائِهِمْ إِذَا قَضَوْا مِنْهُنَّ وَطَرًا وَكَانَ أَمْرُ اللَّهِ مَفْعُولًا ﴿٣٧﴾

Behold! You did say to one who had received the grace of Allah and your favour: Retain you [in wedlock] your wife, and fear Allah. But you did hide in your heart that which Allah was about to make manifest: thou did fear the people, but it is more fitting that you should fear Allah. Then when Zaid had dissolved [his marriage] with her, with the necessary [formality], We joined her in marriage to you: in order that [in future] there may be no difficulty to the Believers in [the matter of] marriage with the wives of their adopted sons, when the latter have dissolved with the necessary (formality) (their marriage) with them. And Allah's command must be fulfilled. (al Ahzab 33:37)

يَتَأْتِيهَا النَّبِيُّ إِذَا أَحَلَّلْنَا لَكَ أَزْوَاجَكَ الَّتِي عَاتَيْتَ أَجُورَهُنَّ وَمَا مَلَكَتْ يَمِينُكَ مِمَّا أَفَاءَ اللَّهُ عَلَيْكَ وَبَنَاتِ عَمِّكَ وَبَنَاتِ عَمَّتِكَ وَبَنَاتِ خَالِكَ وَبَنَاتِ خَالَاتِكَ الَّتِي هَاجَرْنَ مَعَكَ وَأَمْرًا مُؤْمِنَةً إِنْ وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ إِنْ أَرَادَ النَّبِيُّ أَنْ يَسْتَنْكِحَهَا خَالِصَةً لَكَ مِنْ دُونِ الْمُؤْمِنِينَ قَدْ عَلِمْنَا مَا فَرَضْنَا عَلَيْهِمْ فِي أَزْوَاجِهِمْ وَمَا مَلَكَتْ أَيْمَانُهُمْ لِكَيْلَا يَكُونَ عَلَيْكَ حَرَجٌ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٥٠﴾

O Nabiyy! We have made lawful to you your wives to whom you hast paid their dowers; and those whom your right hand possesses out of the prisoners of war whom Allah has assigned to you; and daughters of your paternal uncles and aunts, and daughters of your maternal uncles and aunts, who migrated [from Makkah] with you; and any believing woman who dedicates her soul to the Nabiyy if the Nabiyy wishes to wed her; this only for you, and not for the Believers [at large]: We know what We have appointed for them as to their wives and the captives whom their right hands Possess; in order that there should be no difficulty for you. And Allah is Oft-Forgiving, Most Merciful. (al Ahzab 33:50)

Hadith also consists Rasul-Allah's ﷺ assent, Rasul-Allah's ﷺ assent about *madaribah* as it was common practice in his days, his assent over 'A'isha's play with her friends and dolls, his assent for singing by little girls etc. all these things are included in Hadith because objective of Hadith is to provide religious proof and it can be derived from Rasul-Allah's ﷺ sayings, deeds and what he has approved.

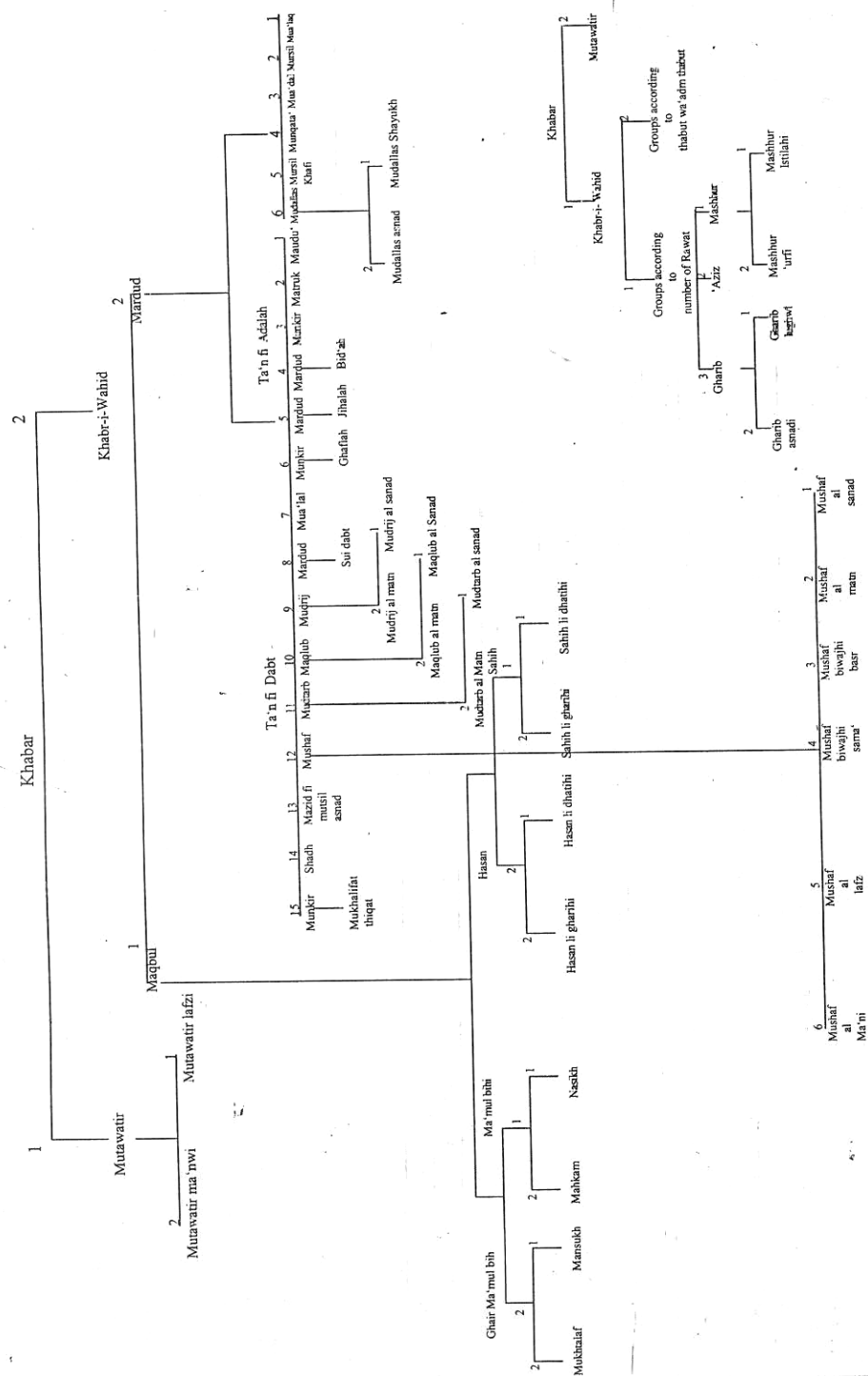
Some pre-*Nubbuwah* happenings of Muhammad and his *sirah tayyibah* (life history of Rasul-Allah ﷺ) is also included in the technical meaning of the Hadith, his confinement in Hira cave and *hif al Fadul* etc. and his excellent morals and good manners about which Khadijah reported:

By Allah! Allah will never disgrace you, that you, tie kinship, help the poor and, serve your guests generously and aid the needy.¹⁰³

وَاللّٰهُ مَا يُخْرِيكَ اللّٰهُ أَبَدًا إِنَّكَ لَتَصِلَ الرَّحِمَ وَتَحْمِلَ الْكَلَّ وَتَكْسِبُ الْمَعْدُومَ وَتَقْرَى الضَّيْفَ وَتُعِينُ عَلَى نَوَائِبِ الْحَقِّ

According to Imam Ibn Taimiyyah all these things help us in the recognition and truthfulness of his *Nubbuwah*, it is because scholars of *sirah* included all these things in *sirah* books, all these things too are included in the meaning of the Hadith.

Scholars have narrated in *sirah* books various pre-*Nubbuwah* happening of Muhammad Rasul-Allah also but they did not mentioned these happenings as *Sha'ri hujjah* (religious proof) neither one can derive religious proof from these pre-*Nubbuwah* happenings, Muhammad Rasul Allah used to visit Hira cave as it was lawful then to remain in confinement as for as one wishes but after *Nubbuwah* Muhammad Rasul-Allah gave up this practice thus, it is not permissible for anyone today to make this practice, religious proof or justification for his self styled confinement because *salah bil jam'at* and *salah al jum'a* was not obligatory then as it is now there is a consensus that Muslims have to bear witness to these pre-*Nubbuwah* happenings if proved authentically but as for as derivation of religious proof is concerned one has to get it only from post-*Nubbuwah* sayings, deeds and approvals of Muhammad Rasul-Allah.¹⁰⁴



Types of Ahadith

Every Hadith consists two parts; the first part is called *asnad* (chain) while the actual statement or information relating to Muhammad Rasul-Allah ﷺ is called *matan* (text) *asnad*, according to Arabic lexicography, means the thing on which another relies. As we rely on the narrators for the knowledge of the statement of Muhammad Rasul-Allah ﷺ, this chain is called *asnad* mostly Hadith grading takes place on the basis of narrators, here we will narrate chart of Hadith grading with brief definitions.

As we mentioned above Hadith is primarily of three kinds:

- a) Sayings which Muhammad Rasul-Allah ﷺ uttered (*Hadith qawli*).
- b) Actions which Muhammad Rasul-Allah ﷺ did and Companions reported those in their own language (*Hadith fi 'li*).
- c) Confirmation or approval which he made to an act which takes place in his presence and he raised no objection to it (*Hadith taqriri*).

Hadith has again been divided mainly into two important classes:

- a) *Mutawatir* : literal meaning: to be one after another.
- b) *Ahad*. : literal meaning: one

Technical meaning of *Mutawatir*:

Is a report of a large number of narrators whose agreement upon a lie is inconceivable. This condition must be met in the entire chain from the origin of the report to the very end.

In the view of Muslim scholars any Hadith which has been transmitted by *tawatur* and whose reporters based their reports on direct, unambiguous perception, unmixed with rationalization would produce knowledge with certainty.¹⁰⁵

According to Imam Ibn Taimiyyah the main objective of *tawatur* is to produce knowledge with certainty, but some scholars defined *mutawatir* Hadith, only such Hadith which has been narrated by many narrators because they think certainty of knowledge can be obtained only when more narrators narrate the Hadith, according to Imam Ibn Taimiyyah this version of *mutawatir* Hadith is weak, the truth is what majority of scholars have said about the information (*khabr*) sometimes knowledge can be obtained by their piety and memory and sometimes even circumstance around information can provide knowledge thus knowledge can be obtained by all these means.¹⁰⁶

There is a difference of opinion about the required number of narrators for *mutawatir* Hadith, some scholars have given specific number ranging from four (4) to three hundred and thirteen (313) but these are baseless claims.¹⁰⁷

Mutawatir Hadith is classified into two sub-divisions:

- a) *Mutawatir* in words: It is a Hadith whose words are narrated by such a large number, in a manner that all the narrators are unanimous in reporting it with the same words without any substantial discrepancy.

Example:

مَنْ كَذَبَ عَلَيَّ فَلْيَتَّبِعُوا مَقْعَدَهُ مِنَ النَّارِ ﴿١٠٨﴾

“Whoever attributed lie to me [intentionally]
he will occupy, a seat in Hell-fire.”¹⁰⁸

- b) *Mutawatir* in meaning: It is a *mutawatir* Hadith which is not reported by the narrators in the same words. The words of the narrators are different. Sometimes even the reported events are not the same. But all the narrators are unanimous in reporting a basic concept/meaning which is common in all the reports.

Example:

عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَنَا فَرَطُكُمْ عَلَى الْحَوْضِ ﴿١٠٩﴾

“Abd Allah Narrated: Nabiyy ﷺ said: I am your
predecessor at Lake Fount.”¹⁰⁹

As we mentioned above *mutawatir* is a Hadith reported by a large number of people in different times, so as to make it impossible for having any falsehood crept into it. The fact is that it is commonly accepted, makes its authority unquestionable. To this category belongs the Ahadith that have been accepted by every Muslim generation from the time of Muhammad Rasul-Allah ﷺ, It is not compulsory to discuss its narrators, but it is the extensive and universal acceptance of a Hadith which raises it to the rank of *mutawatir*.

Technical meaning of *Ahad*: it is that information which does not fall on the conditions of the Hadith *mutawatir*.

The authenticity of this kind of Hadith depends on the veracity of its narrators. If the narrator is trustworthy in all respects, the report given by him can be accepted, but if the single reporter is believed to be doubtful, the entire report subsequently remains doubtful.

There is a difference of opinion whether Hadith *ahad* can produce certain knowledge or not? Imam Nawawi is of the opinion that it can provide speculative knowledge only, but majority of *muhaddithun* are of the opinion that if Hadith *ahad* has been narrated by Imam Bukhari and Imam Muslim it can produce certain knowledge, some scholars are of the opinion that if Hadith *ahad* is *sahih* whether narrated by Imam Bukhari or Imam Muslim or other *muhaddithun* it will provide certain knowledge as Hadith *mutawatir* is producing certain knowledge. Imam Ibn

Taimiyyah as we mentioned earlier is of the same opinion according to him if the text is *sahih* it will definitely produce certain knowledge.¹¹⁰

Three kinds of Hadith *Ahad*:

- a) *Mashhur* : well known.
- b) *'Aziz* : powerful, corroborative.
- c) *Gharib* : strange, loneliness, unfamiliar.

Mashhur : is a Hadith transmitted by three or more transmitters in every stage. To this class, sometimes also known as *al mustafid*, belong a large number of Ahadith which are included in all the collections of Ahadith and constitute the main foundations of Islamic law.

Example:

إِنَّ اللَّهَ لَا يَقْبِضُ الْعِلْمَ انْتِزَاعًا يَنْتَزِعُهُ مِنَ النَّاسِ وَلَكِنْ يَقْبِضُ الْعِلْمَ بِقَبْضِ الْعُلَمَاءِ ❁

“Allah does not take the knowledge, by taking it away from the people but takes it by taking scholars.”¹¹¹

Ghair istallahi mashhur : non technical

Ghair istallahi mashhur Hadith is a Hadith which does not carry conditions of *mashhur* Hadith but it becomes very common and known among the elites as well as in commons.

Example:

- a) Known among the *muhaddithun*:

قَتَنَتِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ شَهْرًا يَدْعُو عَلَى رِعْلٍ وَذَكَوَانَ ❁

“al-Nabiyy ﷺ recited the despair invocation for a period of one month asking Allah to punish the tribes of Ra‘l and Dhakwan.”¹¹²

- b) Known among the *muhaddithun*, scholars and common people as well.

Example:

الْمُسْلِمُ مَنْ سَلِمَ الْمُسْلِمُونَ مِنْ لِسَانِهِ وَيَدِهِ ❁

“Muslim is one from whose tongue and hand other Muslims are safe.”¹¹³

- c) Known among the jurists:

Example:

أَبْغَضُ الْحَلَالِ إِلَى اللَّهِ تَعَالَى الطَّلَاقُ ❁

“The most detestable of lawful things near Allah is divorce.”¹¹⁴

d) Known among the jurists of *Asul fiqh*:

Example:

رفع عن امتي الخطا والنسيان وما استكرهوا عليه

“My *ummah* will not be, accountable for what they do unintentionally, for forgetfulness and upon what they were forced.”¹¹⁵

e) Known among the grammarian:

Example:

نعم العبد صهيب لو لم يخف الله يعصه صهيب

“How nice is Suhaib if he would have not fear Allah even then he would not commit sin.”¹¹⁶

f) Known among the common people:

Example:

اختلاف امتي رحمة

“Differences among my *ummah* are blessing.”¹⁷⁴

It is not possible to declare Ahadith whether *mashhur* or *ghair istallahi mashhur* as *sahih* or *ghair sahih*. It is also possible some of them may be *sahih*, *hasan*, *da'if* or even *maudu'* also if it is *sahih* then it will be given priority over '*aziz* and *gharib*.¹¹⁸

'Aziz : that is a Hadith transmitted by at least two narrators in every generation.

Example:

لَا يُؤْمِنُ أَحَدُكُمْ حَتَّىٰ أَكُونَ أَحَبَّ إِلَيْهِ مِنْ وَلَدِهِ وَوَالِدِهِ وَالنَّاسِ أَجْمَعِينَ

“None of you is believer till I am dearer to him than his child, his father and the whole of mankind.”¹¹⁹

Gharib : if an *asnad* had a single narrator either throughout its *asnad* after the Companion or at any stage, it is called *gharib*.

Gharib mutalq : is a narration in which only one person narrates from the beginning of the *asnad*, only one Companion narrates from Rasul-Allah ﷺ :

Example:

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ

“But the deeds depend upon the intentions.”¹²⁰

Gharib nasbi : at the beginning of *asnad* more than one person narrated Hadith but then after only one person narrated from them.

Example:

أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَخَلَ مَكَّةَ يَوْمَ الْفَتْحِ وَعَلَى رَأْسِهِ الْبَغْفَرُ

“al-Nabiyy ﷺ entered Makkah, wearing a helmet on his head.”¹²¹

The legal importance of these three degrees (*mashhur*, *‘aziz*, *gharib*) of Ahadith is abundantly discussed in the works of Islamic jurisprudence. The first two classes are recognized by all the important *Sunni* jurists as the second source of Islamic law, after the Qur’an the *ahad* which too can produce certain knowledge if proved *sahih* are accepted as taking precedence over *qiyas* (analogical induction) by all *Sunni* schools of thought.

Grading of Ahadith

Hadith *ahad* can be graded into two groups as far as their authenticity or weakness is concerned:

Maqbul : accepted

Mardud : rejected

The *Maqbul* may be divided into two groups:

Sahih : authentic

Hasan : agreeable

Both groups are sub-divided into two sub-groups:

Sahih li dhatihi : authentic by itself.

Sahih li ghairihi : authentic owing to presence of others.

Hasan li dhatihi : agreeable by itself.

Hasan li ghairihi : agreeable owing to the existence of others.

Muhaddithun has also graded Ahadith in three different kinds they gave priority to this grading over above mentioned grading as there is no Hadith which does not falls in one of these three grades:

a) *Sahih* : correct

b) *Hasan* : approved

c) *Da‘if* : weak

Imam Ibn Taimiyyah’s views about this Grading:

As for as grading of Ahadith in *sahih*, *hasan* and *da‘if* are concerned, first person who introduced this grading was Abu ‘Isa Tirmidhi nobody was aware of this grading before him, scholars of Ahadith used to grade Ahadith only in two categories *sahih* and *hasan*. Imam Tirmidhi not only introduced this three type grading but also defined them in detail. According to him Hadith *hasan* is a Hadith which has been narrated by more than one chain of narrators and none among the narrators of this Hadith has been accused of falsehood nor this Hadith is *shadh*, Its grading is only next to *sahih* Hadith.

Imam Tirmidhi's view about *da'if* Hadith is that the *da'if* Hadith is a Hadith whose narrators are accused of unintentional errors or weak memory, similarly when an unknown person narrates Hadith according to Imam Ibn Taimiyyah it is possible he may be liar or he may have weak memory.¹²²

According to Imam Ibn Taimiyyah some scholars did not accept Imam Tirmidhi's this Hadith grading, according to them Imam Tirmidhi claims *hasan gharib* is a Hadith from which *ahad* is separate and Hadith *sahih* can be *gharib* also.

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ

“But the deeds depend upon the intentions.”¹²³

أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ الْوَلَاءِ وَعَنْ هَبْيِهِ

“Rasul-Allah ﷺ had forbidden the selling or donation the loyalty of a freed slave.”¹²⁴

These Ahadith are *sahih* although first Hadith was narrated by ‘Umar only and second Hadith was narrated by his son ‘Abd Allah Ibn ‘Umar alone, according to Imam Ibn Taimiyyah, those who argue with Imam Tirmidhi actually fail to understand his views regarding this grading because when *muhaddithun* said ‘this Hadith is *gharib*’ what actually they mean is that, this Hadith by this particular *asnad* (chain) is *gharib* but Hadith has been narrated by another *asnad* which made it *sahih* when text of the Hadith narrated by two chains is authentic Imam Tirmidhi calls it *hasan gharib*.¹²⁵

There are some Ahadith which has been graded by Imam Tirmidhi as *sahih* but other *muhaddithun* differ with him, similarly sometimes Imam Tirmidhi grades any Hadith as *da'if* but Imam Bukhari calls it *sahih* Hadith.

Example:

١٥٢ حدثنا أبو نعيم قال حدثنا زهير عن أبي إسحاق قال ليس أبو عبيدة ذكره ولكن عبد الرحمن بن الأسود عن أبيه أنه سمع عبد الله يقول أني النبي صلى الله عليه وسلم الغائط فأمرني أن آتية بثلاثة أحجار فوجدت حجرين والثالث فلم أجده فأخذت زؤنة فأتيت بها فأخذ الحجرين وألقى الزؤنة وقال هذا ركن

‘Abd Allah narrated: al-Nabiyy ﷺ felt need to answer the call of nature. He asked me to bring three stones. I found only two stones and searched for the third, but could not find it. So I took a dried piece of dung and brought it to him. He took the two stones and threw away the dung and said: this is filthy thing.¹²⁶

About one narrator Abi Ishaq there is a difference of opinion among the *muhaddithun*, Imam Tirmidhi presented this difference of opinion as ‘*Illah*’ thus, grade this Hadith as *da'if* but Imam Bukhari while narrating the same Hadith with another chain graded it as *sahih* Hadith.

Definition of *sahih* Hadith:

الحديث المسند الذي يتصل اسناده بنقل العدل الضابطه عن العدل الضابطه
حتى ينتهي الى رسول الله ﷺ او الى منتهاه من صحابي او من دونه ولا يكون شاذاً ولا معطلاً

Sahih Hadith means *musanad* Hadith which has been narrated by a pious person who has a firm memory from a pious person who is good in his memory till it reaches to Rasul-Allah ﷺ or his Companion or to *taba'* *tab'in*, it is neither *shadh* nor *mu'allal*.¹²⁷

Requirements for *sahih* Hadith:

- a) *Itisal sanad* : continuity of the chain must be preserved, which means the completeness of the chain of transmitters all the way back to the final authority.
- b) *'Adalat* : every narrator of the chain must be sane and pious Muslim who saves himself from sinfulness and impiety.
- c) *Hifz* : every narrator of the chain must have firm memory whether he committed Hadith to memory or preserve it in a written form.
- d) *'Adm shadh* : should not be as isolated one, which means that particular Hadith must not be in contradiction with the narrations of the other authorities who were more in number while belonging to the same group or must not be in disagreement with an authority that has higher reputation than the one under discussion.¹²⁸
- e) *'Adm 'Illah* : should not have any hidden defect.

Grades of *Sahih Ahadith*

Imam Nawawi has divided *Ahadith sahih* into seven categories:

- a) A Hadith accepted and narrated both by Imam Bukhari and Imam Muslim in their books is the most authentic and has been described as *mutafaqun 'aliah* (agreed upon).
- b) A Hadith narrated by Imam Bukhari alone in his *Sahih Bukhari*.
- c) A Hadith narrated by Imam Muslim alone in his *Sahih Muslim*.
- d) A Hadith based on the conditions laid down in *Sahih Bukhari* and *Sahih Muslim*.
- e) A Hadith based on the conditions of *Sahih Bukhari* alone.
- f) A Hadith based on the conditions of *Sahih Muslim* alone.
- g) A Hadith accepted by all other *muhaddithun* except Imam Bukhari and Imam Muslim.¹²⁹

Different cities too had a role in the grading of *sahih Ahadith*, some scholars claim without any hesitation that, most authentic narrations are those which have been narrated by *ahl Madinah* (narrators from Madinah) because Madinah Tayyibah is like home for Hadith and Sunnah. Imam Ibn Taimiyyah said:

There is an agreement among the *muhaddithun* that, most authentic Ahadith are those which have been narrated by *ahl Madinah*, after them it is *ahl Basrah* and third grade is for *ahl Syriyah*.¹³⁰

General qualifications for Narrators

- a) The name, nickname, title, parentage and occupation of a narrator must have been known.
- b) He must not have told a lie in relating any Hadith from Muhammad Rasul-Allah.
- c) He must not have been accused of any crime or known to have been a liar.
- d) He must not have committed frequent mistakes and blunders.
- e) He must not have been careless in relating Ahadith.
- f) He must not have been wicked in words and deeds.
- g) He must not have spoken from imaginations.
- h) He must not have spoken anything against reliable persons.
- i) He must not have been illiterate and fool.
- j) He must not have held any peculiar religious view of his own.
- k) He must not have had bad memory.
- l) He must have examined every report minutely.¹³¹
- m)

Sahih lidhatihi:

Literal meaning : word *sahih* (authentic) is used in opposite to word (*'illah*); metaphorically word *sahih* is used for authentic Hadith.

Technical definition:

Hadith narrated by such chain of narrators where every narrator right from the beginning to end is pious and having retentive memory Hadith is neither *shadh* nor *mua'llal*.

Example:

٧٢٣ حدثنا عبد الله بن يوسف قال أخبرنا مالك عن ابن شهاب عن محمد بن جبير بن مطعم عن أبيه قال سمعت
رسول الله صلى الله عليه وسلم قرأ في المغرب بالطور ﴿

“Jubair Ibn Mut‘im narrated: My father said, I heard
Rasul-Allah ﷺ reciting *al Tur* in the sunset *salah*.”¹³²

Sahih lighairihi:

Is a Hadith which is basically *hasan lidhatihi* but due to another authentic chain of narrators this Hadith becomes *sahih*. This Hadith is called *sahih lighairihi* because it got grade of *sahih Hadith* due to another *sanad* (chain).

Status of *sahih lighairihi*: Its status is higher than *hasan lidhatihi* but less than *sahih lidhatihi*.

Example:

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ لَوْلَا أَنِّي أَشَقُّ عَلَى أُمَّتِي لَأَمَرْتُهُمْ بِالسَّوَالِ فِي عِنْدِ كُلِّ صَلَاةٍ

“Abu Hurairah narrated: Rasul-Allah ﷺ said: If I had not found it hard for my followers, I would have ordered them to brush their teeth with *Siwak* for every *Salah*.”¹³³

Definition of Hadith *hasan*:

هو ما اتصل سنده بنقل عدل خفيف الضبط و سلم من المروءة والعلته

“*Hasan Hadith*: Hadith with continuous chain and every narrator of this chain is sane and pious Muslim with common memory, Hadith is neither *shadh* nor *mua'llal*.”¹³⁴

Hasan lidhatihi:

Literal meaning : agreeable by itself; beauty, elegance.

Technical definition : there are different sayings of Hadith scholars about the exact definition of Hadith *hasan* because this Hadith is middle link in between Hadith *sahih* and Hadith *da'if*, here we will narrate the comprehensive definition of Hadith *hasan* which has been quoted by Imam Ibn Taimiyyah from Imam Tirmidhi, *hasan* is that Hadith whose narrators are equitable, upright and having retentive memory, its chain must be continuous and it must not be *shadh* it is called then *sahih lidhatihi* but if its memory is weak it becomes *hasan lidhatihi*.¹³⁵

Example:

٣٦٧ حدثنا عبد الله بن محمد حدثنا معاوية بن عمرو حدثنا أبو إسحاق عن موسى بن عوفية عن سالم أبي النضر مولى عمر بن عبد الله وكان كاتبه قال كتب إليه عبد الله بن أبي أوفى رضي الله عنهما أن رسول الله ﷺ قال وأعلنوا أن الجنة تحت ظللال الشيوف تابعه الأويس عن أبي إس الرقاد عن موسى بن عوفية

“Abd Allah Ibn Awfa narrated that, Rasul-Allah ﷺ said: no doubt doors of paradise are under the shades of swords.”¹³⁶

Hasan lighairihi: : is a *da'if* Hadith, which has more than one chain of narrators which makes it *hasan lighairihi*, its weakness is not due to narrators falsehood or impiety but due to narrators weak memory, discontinuation the chain or infamousness of any narrator of the chain.

Status of Hadith *hasan lighairihi*: it is lower in status than *hasan lidhatihi* but higher than *da'if* Hadith.

Example:

عَنْ عَامِرِ بْنِ رَبِيعَةَ عَنْ أَبِيهِ أَنَّ امْرَأَةً مِنْ بَنِي فَزَارَةَ تَزَوَّجَتْ عَلَى بَغْلَيْنِ
فَقَالَ رَسُولُ اللَّهِ ﷺ أَرْضَيْتِ مِنْ نَفْسِكَ وَمَالِكَ بِنْتَيْنِ قَالَتْ نَعَمْ قَالَ فَأَجَازَهُ ۖ

Amir Ibn Rabi' narrated from his father that a woman from Bani Fazarah tribe married herself against alimony of one pair shoes, Rasul-Allah ﷺ asked her, are you satisfied with this pair of shoes, 'she replied yes', thus he made her marriage lawful.¹³⁷

Two more groups of *Maqbul Hadith*

1. *Muhkam* and *Mukhtalaf*.
2. *Nasikh* and *Mansukh*.

1) *Muhkam Hadith*:

Literal meaning : strong, powerful.

Technical meaning : *hadith maqbul* is a hadith which does contradict with a Hadith having similar (*maqbul*) status, although they are contradictory to each other *muhaddithun* used to create *tatbiq* (harmonization) between them.

Example:

لَا عَدَوَى وَلَا طَيْرَةٌ ۖ

“There is no contagious disease which is conveyed, nor is there any bad omen (from bird).”¹³⁸

وَفِرٌّ مِنَ الْمَجْدُومِ كَمَا تَفِرُّ مِنَ الْأَسَدِ ۖ

“And one should run away from the leper as one runs away from a lion.”¹³⁹

Hafiz Ibn Hajar has given *tatbiq* between these two Ahadith in such a way that there remains no contradiction between the two.

2) *Hadith Nasikh*

Literal meaning : abrogation, transfer.

Technical meaning : abrogation of any previous or existing religious order by Rasul-Allah ﷺ by issuing new order.

Abrogated order is called *mansukh* and one who abrogates is called *nasikh*.

Example:

نَهَيْتُكُمْ عَنْ زِيَارَةِ الْقُبُورِ فَرُوزُوهَا فَإِنَّ فِي زِيَارَتِهَا تَذْكَرَةٌ ۖ

“I use to stop you from visiting graves, now you visit them, it reminds death.”¹⁴⁰

Mardud:

Definition of Hadith *da'if*:

ما لم يجتمع فيه صفات الصحيح ولا صفات الحسن

“Hadith *da'if* means a Hadith which does not carry qualities of *hadith sahih* or *hadith hasan*.”¹⁴¹

Hadith Da'if:

Literal meaning : weak, feeble.

Technical meaning : *da'if Hadith* is that in which there is some defect either in the chain of transmission, or in the proper understanding of the transmitter, or its contents are not in perfect agreement with Islamic beliefs and practices. It is infact a Hadith of weak or less reliable authority.

Example:

مَنْ أَتَى خَائِضًا أَوْ امْرَأَةً فِي دُبُرِهَا أَوْ كَاهِنًا فَقَدْ كَفَرَ بِمَا أُنْزِلَ عَلَى مُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

“Whoever has intercourse with a woman during her menstrual periods, or in her rectum, visits wizard he nullifies what have been revealed on Muhammad.”¹⁴²

According to Imam Ibn Taimiyyah there are two types of *da'if* Ahadith, a) *da'if* Hadith whose (*du'af*) weakness did not stop us to accept this Hadith and we can act on it also. This kind of weak Hadith is same Hadith for which Imam Tirmidhi used term *hasan*. Second type of *da'if* Hadith is neither acceptable nor one can act on it, it is absolutely baseless narration.¹⁴³

We have discussed earlier the requirements and conditions for accepting any Hadith. Ahadith which did not posses anyone of these was rejected (*mardud*). However, the causes of rejection may be derived into two groups:

- a) Weakness owing to discontinuity of *asnad*.
- b) Rejection owing to defect in narrator.

Group ‘A’ (weakness owing to discontinuity of *asnad*) is divided into six (6) types of Ahadith.

- Group A:
- A.1) *Mu'allaq*
 - A.2) *Mursal*
 - A.3) *Mu'dal*
 - A.4) *Munqat'*
 - A.5) *Mudllas*
 - A.6) *Mursal Khafi*

a) **Hadith Mu‘allaq:**

Literal meaning : hanging, suspended.

Technical meaning: an *asnad* in which one or more authorities (narrators) from the beginning is omitted or unknown.

Example:

قال ابو موسى غطى النبي ﷺ ركبتيه حين دخل عثمان

“Abu Musa reported that al-Nabiyy ﷺ covered his leg when ‘Uthman entered.”¹⁴⁴

Note: this Hadith is *mu‘allaq* because Imam Bukhari quote Abu Musa (Companion) only and omitted whole chain.

b) **Hadith Mursal:**

Literal meaning : This has been left, defective.

Technical meaning : transmission of a successor from Muhammad Rasul-Allah ﷺ directly, dropping the Companion from the *asnad*.

Example:

عن سعيد بن المسيب أنَّ رَسُولَ اللَّهِ ﷺ صلى الله عليه وسلم نهى عن المزابنة

“Rasul-Allah ﷺ had forbidden the sale of *muzabana*.”¹³⁹

Note: this Hadith is *mursal* because Sa‘id Ibn Musaib (*tab‘i*) narrated it from Rasul-Allah ﷺ thus, omitted *sahabi*.

c) **Hadith Mu‘ddal:**

Literal meaning : problematic.

Technical meaning : an *asnad* in which two continuous links are missing in one or more than one place.

Example:

عن مالك انه بلغه ان ابا هريره قال: قال رسول الله ﷺ

للمملوك طعامه وكسوته بالمعروف ولا يكلف من العمل الا ما يطيق

“Abu Hurairah reported: Rasul-Allah ﷺ said: A slave shall get his food and clothing and shall not be troubled with work but what he is capable of.”¹⁴⁶

Note: this Hadith is *mu‘dal* because two narrators (Muhammad Ibn ‘Ajlan and his father) between Imam Malik and Abu Hurairah have been omitted.

d) **Hadith Munqat‘:**

Literal meaning : broken.

Technical meaning : an *asnad* having a single link missing somewhere in the middle, in one place or more.

Example:

عن الثوري عن أبي اسحاق عن زيد بن يثيع عن حذيفة مرفوعاً

“Note: this chain is *munqat* because one narrator (Sharik) who actually narrated this Hadith to al Thauri is missing in this chain.”¹⁴⁷

e) **Hadith Mudallas** : there are two types of *tadlis* a) *mudallas al asnad* b) *mudallas al shayukh*.

Literal meaning : concealment of defect.

Mudallas al asnad:

Technical meaning: a transmitter narrated a Hadith from an authority whom he met but from whom he did not learned that particular Hadith. Thus he did not mention the immediate authority and transmitted it from higher authority using a term which can be used for both direct and indirect learning.

Example:

عن علي بن ثمر عن ابن عيينه عن الزهري¹⁴⁸

Note: while narrating the Hadith Ibn Uyayanah used word (عن) he was asked! Did you hear this Hadith directly form Zuhri? He replied no this Hadith was narrated to me by Add al Razaq. But word (عن الزهري) which he used gave impression to reader as the (Ibn Uyayanah) had learned this Hadith directly from Zuhri which was not fact.¹⁴⁹

Mudallas al shayukh:

Technical meaning: narrator used a scholar's name, alias which was not commonly known instead of using the name for which he was famous just to conceal his identity.

Example:

قال ابو بكر بن مجاهد حدثنا عبد الله بن ابو عبد الله

‘Abd Allah Ibn Abu ‘Abd Allah is actually Abu Dawud Sajistani well known *muhaddith* but he is not known by his actual name which Abu Bakr used in this narration.

f) **Hadith Mursal Khafi:**

Literal meaning : to leave something loose.

Technical meaning :narrator narrated Hadith from his contemporary whom he used to even meet but did not listen that particular Hadith from him, but when he narrated that Hadith he use word (قال) which gives impression that he had heard Hadith from him.

Example:

عن عمر بن عبد العزيز عن عتبة بن عامر قال: قال رسول الله ﷺ رحم الله حارس الحرس

“Aqbah Ibn ‘Amir narrated that Rasul-Allah ﷺ said: May Allah show mercy to protector of guardians.”¹⁵⁰

Group ‘B’(rejection owing to defect in narrator) is divided into two sub-groups.

B.1) Regarding *‘AdAllah* : piety

B.2) Regarding *Dabt* : memory, discipline.

Again group B.1 is sub-divided into five categories.

Regarding *‘Adalat*:

B.1.1: *Kidhb* : falsehood.

B.1.2: *Tuahmat Kidhb* : accusation of *kidhb*.

B.1.3: *Fisq* : impiety.

B.1.4: *Bid‘ah* : innovation.

B.1.5: *Jahallah* : ignorance.¹⁵¹

Group B 2: is sub-divided into five categories.

Regarding *Dabt*:

B.2.1: *Ktharat ghalt* : erroneous.

B.2.2: *Su’ hifz* : faulty memory.

B.2.3: *Ghflat* : negligence.

B.2.4: *Waham* : negligence.

B.2.5: *Mukhalafat Thaqat* :opposition to reliable persons.¹⁵²

Imam Ibn Taimiyyah’s views regarding *khavar* (information):

According to Imam Ibn Taimiyyah error in *khavar* takes place due to its narrator either by mistake (*sahwan*) or intentionally (*‘amdan*). That’s why *‘Adallah* (piety in its comprehensive sense) has been made an obligatory quality for the narrators, so that Ahadith can be saved from intentional falsehood and accordingly retentive memory and sharpness has been also made necessary qualities for narrators to save Ahadith from (*sahwan*) unintentional mistakes.

Imam Ibn Taimiyyah said *khavar* may be either true or false. He finds some reasons responsible for narrator's unintentional mistakes.

- a) When narrator besides '*Ilm Hadith* involves himself in other Islamic sciences resultant his memory regarding Hadith does not remain intact.
- b) He gives up his attachment to '*Ilm Hadith* due to some reasons.
- c) One who listens Hadith, but everyone can not memorize everything he heard.
- d) Text of Hadith he narrates carry such words which were not actual part of the text thus, he speaks lie.
- e) While narrating Ahadith to his disciples, some times disciples consider his words as part of the Hadith; he does not clarify this thing to them.
- f) Sometimes narrator reads from his written book where differences exist, which causes error.
- g) When he narrates Hadith against his wish, thus commits error.

Intentional error or falsehood:

- a) Hypocrisy and heresy.
- b) To support any particular *fiqhi Madhhab* or sect or for another evil desires, this trend is common in juristic principles and its branches.
- c) In *targhib* and *tarhib* (inducement and persuasion) when narrator thinks it permissible to narrate weak or false Ahadith.
- d) For vested interests and worldly gains.
- e) Lust for power, to fabricate Ahadith to achieve this goal.¹⁵³

Titles of Ahadith which came into existence due to reasons mentioned above.

- B.1) *Maudu'*
- B.2) *Matruk*
- B.3) *Munkar*
- B.4) *Mu'alal*
- B.5) *Mudrij*
- B.6) *Maqlub*
- B.7) *Mazid fi Mutsil al asanid*
- B.8) *Mudtarab*
- B.9) *Musahaf*
- B.10) *Shadh*
- B.11) *Majhul*

Rejection owing to defect in narrators.

B.1) *Maudu' hadith*:

Literal meaning : to pull down some thing.

Technical meaning : is a Hadith of which the narrator is known for fabrication of Hadith and falsehood, absolutely baseless narration.¹⁵⁴

Example:

حضر رسول الله ﷺ مجلسا للفقراء ورقص حتى شق قميصه

“Rasul-Allah ﷺ went to group of saints and danced till he tore his shirt.”¹⁵⁵

The attribution of false statements to Muhammad Rasul-Allah ﷺ may be divided into following categories.

- a) Intentional fabrication of Hadith. That is usually called Hadith *maudu'*.
- b) Unintentional attribution of a false Hadith to Muhammad Rasul-Allah ﷺ by mistake despite due care or due to carelessness. That is usually called Hadith *batil*.

Example:

من عرف نفسه فقد عرف ربه

“One who knows himself thus, knows his Rabb.”¹⁵⁶

Scholars have laid down certain rules according to which one could reach conclusions about the spurious or genuineness of Hadith even without going into detailed study of *asnad*. Here is a summary of the method described by Ibn al Qayyim.

- a) If the Hadith contains an exaggerated statement that the Muhammad Rasul-Allah could not have made.
- b) Experiment rejects it.
- c) Ridiculous kind of attribution.
- d) Contradicts a well known Sunnah.
- e) Attributes a statement to Muhammad Rasul-Allah which was supposed to have been made in the present of a thousand Companions but all of them supposedly concealed it.
- f) The statement has no resemblance to other statements of Muhammad. Sounds like the saying of mystics or medical practitioners.
- g) Contradicts the clear and obvious meanings of the Qur'an inadequate in its style.

Besides these general rules, the entire system of *asnad* was applied to detect the fabrication.¹⁵⁷

Ibn Jauzi said:

ما احسن قول القائل اذا ريثت الحديث يباين المعقول او يخالف
المنقول او يناقض الاصول فا علم انه موضوعاً

“Somebody has said nice thing that, when you find any Hadith against reason, established narration and against principle, mind it, it is fabricated one.”¹⁵⁸

B.2) *Matruk hadith*:

Literal meaning : useless thing.

Technical meaning: is a Hadith of which the narrators are accused of lie or falsehood in other matters but not in narrating Hadith.

Example:

عمرو بن شمر عن جابر عن ابي الطفيل عن علي وعمار كان النبي ﷺ
يقنت في الفجر ويكبر يوم عرفته من صلاه الغداه و يتقطع صلاه العصر آخرايام التشريق

“Imam Nasai’ and Darqutni reported that, ‘Amr Ibn Shumr narrator of this hadith from Jabir is *matruk al Hadith*.’¹⁵⁹

B.3) *Munkar hadith*:

Literal meaning : to refuse

Technical meaning: is a Hadith as opposed to *maruf* in which narrator is known for his impiety or mistakes in narration or is negligent.¹⁵⁴

Example:

عن ابي ذكير يحيى بن محمد بن قيس عن حزام بن عروة عن ابيه عن عائشه
كلوا البلح با تمر فان بن آدم اذا اكله غضب الشيطان

“Arwah reported from his father he reported from ‘A’isha that: eat unripe dates with dry dates if anyone eats unripe dates only *Shaitan* (devil) becomes furious.”

According to Imam Nasai’ this Hadith is *munkar* because this Hadith has been narrated by Abi Zakir alone and when he narrates Hadith alone he is not reliable.¹⁶⁰

B.4) *Mu‘allal hadith*:

Literal meaning : to presume.

Technical meaning: is a Hadith which apparently seems accurate but has some hidden defect. This defect occurs mostly in *asnad*. Sometimes it occurs in the text itself.¹⁶¹

Example:

عَنْ أَبِي هُرَيْرَةَ قَالَ أَخَذَ رَسُولُ اللَّهِ ﷺ بِيَدِي فَقَالَ خَلَقَ اللَّهُ عَزَّ وَجَلَّ التُّرْبَةَ يَوْمَ السَّبْتِ وَخَلَقَ فِيهَا الْجِبَالَ يَوْمَ الْأَحَدِ وَخَلَقَ الشَّجَرِ يَوْمَ الْإِثْنَيْنِ وَخَلَقَ الْمَكْرُوهَ يَوْمَ الثَّلَاثَاءِ وَخَلَقَ النَّوْرَ يَوْمَ الْأَرْبَعَاءِ وَبَدَأَ فِيهَا الدَّوَابَّ يَوْمَ الْخَمِيسِ وَخَلَقَ آدَمَ عَلَيْهِ السَّلَامُ بَعْدَ الْعَصْرِ مِنْ يَوْمِ الْجُمُعَةِ ❀

Abi Hurairah reported that Rasul-Allah ﷺ took hold of my hands and said: Allah, the Exalted and Glorious, created the clay on Saturday and created the mountains on Sunday and created the trees on Monday and created the things entailing labour on Tuesday and created light on Wednesday and he caused the animals to spread on Thursday and created Adam on Friday.¹⁶²

According to Imam Ibn Taimiyyah this Hadith is *mu'allal*, due to one of its narrator.¹⁶³

Rejection owing to opposition to reliable narrators:

B.5) *Mudrij hadith*:

Literal meaning : to insert one thing into another thing.

Two types of *Hadith mudrij*:

- a) *Mudrij al asnad*.
- b) *Mudrij al matan*.

Mudrij al asnad:

Technical meaning : is a Hadith whose chain of narrators has been changed.

Example:

عن ابن مهدي عن الثوري عن الواصل ومنصور واعمش
عن ابي وائل عن عمرو بن شرحبيل عن ابن مسعود

“Wasil in his narration did not mention ‘Amr Ibn Shurjail he narrated directly from Abi Wa’il and he narrated from Ibn Mas’ud thus in Wai’l’s narration ‘Amr Ibn Shurjail’s name has been inserted in the chain.”¹⁶⁴

Mudrij al matan:

Technical meaning : is a Hadith in whose text (*matan*) words mostly of its narrator have been inserted.

Example:

عن ابي هريره اسبغوا الوضوء ويل للاعقاب من النار

“Abi Hurairah narrated perform ablution properly woe to the heels from the Hell fire.”¹⁶⁵

Underlined words are not of Muhammad Rasul-Allah ﷺ; these are its narrator’s (Abu Hurairah’s) words which creep into original text (*matan*).¹⁶⁶

B.6) *Maqlub hadith*:

Literal meaning : to turn something upside down.

Two types of *maqlub Hadith*.

a) *Maqlub al sanad*

b) *Maqlub al matan*

Maqlub al sanad : is a Hadith in whose chain names of one or more than one narrator have been reversed.

Example:

عن حماد النصيبى عن اعمش عن ابى صالح عن ابى هريره... اذا لقيتم
المشركين فى طريق فلا تبدؤهم باسلام

“When you meet polytheists do not initiate greetings to them.”¹⁶⁷

Imam Bukhari calls al Nasibi *munkar al hadith*, Imam Nasai’ calls him *matruk* and Imam Zargani as liar. He (al Nasibi) used name of A’mash in the chain while actual person who narrated this Hadith from his father was Suhail Ibn Abi Salih.

Maqlub al matan : is a Hadith whose text (*matan*) has been changed by reversing its words.

Example:

وَرَجُلٌ تَصَدَّقَ بِصَدَقَةٍ فَأَخْفَاهَا حَتَّى لَا تَعْلَمَ يَمِينُهُ مَا تُنْفِقُ شِمَالُهُ ❁

“A person who gives *sadqah* and conceals it, that the right hand does not know what the left has given. Some narrators reversed this text while the actual words of *matan* are:”¹⁶⁸

حَتَّى لَا تَعْلَمَ شِمَالُهُ مَا تُنْفِقُ يَمِينُهُ ❁

“The left hand does not know what the right hand has given.”¹⁶⁹

B.7) *al Mazid fi mutsil al asanid*:

Literal meaning : attach.

Technical meaning : is a Hadith whose chain is *mutsil* (continuous) and one extra narrator has been added to this chain.

Example:

٢٨١٠ هـ رَوَاهُ إِسْرَافِيلُ بْنُ مُوسَى الرَّازِىُّ أَخْبَرَنَا عِيسَى حَدَّثَنَا عَنْ سَفْيَانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ بْنِ جَابِرٍ عَنْ بُشَيْرِ بْنِ عُثَيْدٍ
اللَّهُ قَالَ سَمِعْتُمْ أَدَارِسَ قَالَ سَمِعْتُ وَإِلَّاهُ بْنُ الْأَسْفَعِ يَقُولُ سَمِعْتُ أَبَا مَرْثَدَةَ الْعَنْبُؤَى يَقُولُ قَالَ رَسُولُ اللَّهِ ﷺ عَلَيْهِ وَسَلَّمَ لَا تَجْلِسُوا
عَلَى الْقُبُورِ وَلَا تَقْلُبُوا عَلَيْهَا ❁

“Aba Marthad Ghanawi reported that: I heard Rasul-Allah ﷺ as saying: Do not sit on the graves and do not pray towards them.”¹⁷⁰

Two underlined narrators have been added in this chain due to anxiety of Ibn Mubarak and other narrators.

B.8) *Mudtarab hadith*:

Literal meaning : discomfort, clash of sea waves.

Technical meaning : is a Hadith in which two narrators differ to each other and it becomes impossible to prefer one narration over other, as both the narrators were of equal standard.

Two types of *Mudtarab*:

a) *Mudtarab al sanad*

b) *Mudtarab al matan*

Mudtarab al sanad:

Technical meaning : is a Hadith in whose chain is *idtirab* (anxiety) this defect occurs mostly in *asnad*.

Example:

قَالَ أَبُو بَكْرٍ رَضِيَ اللَّهُ عَنْهُ يَا رَسُولَ اللَّهِ قَدْ شَيْبَتِ قَالَ شَيْبَتْنِي هُودُ وَأَخَوَاتُهَا

“Abu Bakr said: Rasul-Allah ﷺ you are looking old, he replied, it is because of [chapter] Hud and its sister [chapters].”¹⁷¹

According to Imam Darqutni this Hadith is *mudtarab* because some have narrated this Hadith from Sa‘id and some from ‘A’isha.

Mudtarab al matan:

Technical meaning : is a Hadith in whose text (*matan*) is *idtirab* (anxiety).

Example:

عَنْ شُرَيْكٍ عَنْ أَبِي حَمْزَةَ عَنْ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ قَالَتْ سَأَلْتُ أَوْ نَبِيْلَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الزَّكَاةِ

فَقَالَ إِنَّ فِي الْمَالِ لَحَقًّا يَوَى الزَّكَاةَ

“Fatimah bint Qaiys reported al-Nabbiy ﷺ was asked about *zakah* he said there is a right [of poor] in ones money besides *zakah*.”¹⁷²

Ibn Majah narrated this Hadith by similar chain but words are:

عَنْ أَبِي حَمْزَةَ عَنْ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ أَنَّهَا

سَمِعَتْهُ تَعْنِي النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ لَيْسَ فِي الْمَالِ حَقٌّ سِوَى الزَّكَاةِ

“There is nothing obligatory to pay from money except *zakah*.”¹⁷³

B.9) Musahaf hadith:

Literal meaning : mistake in reciting.

Technical meaning : is a Hadith whose text narrated by reliable narrators has been changed either by different words or in meaning.

Musahaf hadith is divided into three sub-groups every sub-group has two types.

Group A-1 *Musahaf al basar*

A-2 *Musahaf al sama‘*

Group B-1 *Musahaf al sanad*

B-2 *Musahaf al matan*

Group C-1 *Musahaf al lafz*

C-2 *Musahaf al mani‘*

A.1 Musahaf al-basar

Technical meaning : is a Hadith in whose text *tashif* (mistake in reciting) takes place because of poor hand writing or due to lack of *nuqat* (points or dots).

Example:

مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ سِتًّا مِنْ شَوَّالٍ ❁

“He who keeps *sawm* for the month of *Ramadan* and then followed it with six days of *Shawwal*....”¹⁷⁴

Abu Bakr Sauli committed mistake and narrated this as:

مَنْ صَامَ رَمَضَانَ ثُمَّ أَتْبَعَهُ شَيْئًا مِنْ شَوَّالٍ ❁

“One who keeps *sawm* for the month of *Ramadan* and followed it with anything from *Shawal*.”

He narrated word (anything) instead of (six days).

A.2 Musahaf al sama‘

Technical meaning : is a Hadith in which narrator commits mistake in listening either by his weak *sama‘t* (listening) or by any other reason.

Example:

عاصم الاحول

Narrator instead of ‘Asim al Ahwal narrated narrators name as ‘Asim al Ahdab.

عاصم الاحدب

B.1 Musahaf al sanad:

Technical meaning : is a Hadith in whose chain *tashif* takes place.

Example:

Sha‘ba narrates Hadith from ‘Awam Ibn Marajam (عوام بن مزاجم) but Ibn Mu‘in committed mistake and narrated his name as ‘Awam Ibn Mazaham. (عوام بن مزاحم)

B.2 *Musahaf al matan*:

Technical meaning : is a Hadith in whose text *tashif* takes place.

Example:

Zaid Ibn Thabit narrated Hadith:

Rasul-Allah ﷺ constructed small room in a mosque. احتجروا في المسجد

Ibn Lahi‘ya committed mistake and narrated the same Hadith with following words.

Rasul-Allah ﷺ took copping in a mosque. احتجم في المسجد

C.1 *Musahaf al lafzi*:

Technical meaning : is a Hadith where *tashif* takes place in its words.

Note: above mentioned examples are of the same kind.

C.2 *Musahaf al ma‘nwi*:

Technical meaning : is a Hadith whose meaning has been changed by its narrator.

Example:

Abu Musa ‘Anzi reported that our nation got honour as Muhammad Rasul-Allah ﷺ offered *salah* in direction of our nation ‘*Anazah*. He was talking about Hadith where it has been narrated that Rasul-Allah ﷺ put ‘*Anazah* (stick with iron curve which Rasul-Allah ﷺ used as *sutra*) before himself and offered *salah*. Abu Musa ‘Anazi misunderstood meaning of ‘*Anazah* and instead of stick he meant it as his nation.¹⁷⁵

عن ابن عمر ان النبي ﷺ كان يركز العنزة ويصلي اليها

“Ibn ‘Umar narrated that: al-Nabiyy ﷺ used to pitch stick [as *salah* hedge] and offered *salah* towards it.”¹⁷⁶

B.10) *Shadh hadith*:

Literal meaning : apart from majority, unique.

Technical meaning : is a Hadith although narrated by a trustworthy narrator but it is contradictory to more trustworthy narration.

Two types of *Shadh hadith*:

- a) *Shadh al sanad*
- b) *Shadh al matan*

Shadh al sanad:

Technical meaning : is a Hadith in whose chain is *shadhudh* (uniqueness).

Example:

عن ابن عيينه عن عمر بن دينار عن عوسجته عن ابن عباس:
ان رجلاً توفي على عهد رسول الله ولم يدع وارثاً الا مولى هو اعتقه

“Awsajah narrated from Ibn ‘Abbas that: a person passed away during the life time of Rasul-Allah he did not leave any heir except his slave whom he had freed.”¹⁷⁷

عن حماد بن زيد عن مرو بن دينار عن عوسجته عن رجلاً

In the above mentioned two narrations Ibn Uyayanah’s narration is *mutasil* [continuous] as he mentioned Ibn Abbas’s name in his narration. Hamad Ibn Zaid too narrated the same Hadith but as *mursal* [defective] narration, he did not mention Ibn Abbas’s name in his narration although Hamad Ibn Zaid is pious and reliable but those narrators who mentioned Ibn ‘Abbas’s name are known reliable and trustworthy narrators thus, Hamad Ibn Zaid’s narration is *shadh* narration. And Ibn Uyayanah’s narration is *mahfuz*.

Shadh al matan:

Technical meaning : is a Hadith in whose text is *shadhudh*.

Example :

عن عبد الواحد بن زياد عن ابي صالح عن ابي هريره قال
قال رسول الله صلى الله عليه وسلم إذا صلى أحدكم ركعتين الفجر فليطأ طميطم على يمينه
“ ‘Abd al-Wahid Ibn Ziyad narrated from Abi Saleh he narrated from Abi Hurairah narrated that: Rasul-Allah ﷺ said: when anyone among you offers *fajar salah* [Sunnah] he should lie down on his right side.”¹⁷⁸

According to Imam Baihaqi ‘Abd al Wahid has opposed many pious and reliable narrators as for as this Hadith is concerned, who have narrated this Hadith as (*Fi’l Rasul*) (Rasul-Allah’s act) not as (*Qwal Rasul*) (Rasul-Allah’s saying) as ‘Abd al Wahid has narrated in above mentioned narration thus, ‘Abd al Wahid’s narration is *shadh*.

١٠٥٥ حدثنا أبو اليمان قال أخبرنا شعيب عن الزهري قال أخبرني عروة أن عائشة رضي الله عنها أخبرته أن رسول الله صلى الله عليه وسلم كان يفضي إحدى عشرة ركعة كانت تلك صلاته يسجد السجدة من ذلك قدر ما يقرأ أحدكم خمسين آية قبل أن يرفع رأسه ويركع ركعتين قبل صلاة الفجر ثم يطميطم على يمينه الأيمن حتى يأتيه المنادى للصلاة

“A’isha narrated: Rasul-Allah ﷺ used to lie down on his right side, after offering two *rak‘at* of *fajr* Sunnah till *maudhin* proclaims *adhan*.”¹⁷⁹

B.11) *Majhul hadith*:

Literal meaning : ignorance.

Technical meaning : is a Hadith which has been narrated by unknown narrator.

Some narrators have attributed Muhammad Ibn Sa’ib Ibn Bashr Kalbi to his grandfather and named him Muhammad Ibn Bashir some narrators mentioned his name as Hamad, and some as Abu Nasr, Abu Sa’id, Abu Hisham thus there is a lot of ambiguity about his name.¹⁸⁰

There are four types of *akhbar*:

- a) *Hadith al qudsi*
- b) *Marfu‘*
- c) *Mauquf*
- d) *Maqtu‘*

a) *Hadith al Qudsi*:

Literal meaning : cleanliness, chastity.

Technical meaning : is a Hadith narrated by Muhammad Rasul-Allah ﷺ, saying that Allah says so and so. These Ahadith are called *Hadith al qudsi*.

Example

عَنْ أَبِي ذَرٍّ عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِيمَا رَوَى عَنْ اللَّهِ تَبَارَكَ وَتَعَالَى أَنَّهُ قَالَ يَا عِبَادِي إِنَّي خَرَّمْتُ الظُّلْمَ عَلَى نَفْسِي وَجَعَلْتُهُ بَيْنَكُمْ مُحَرَّمًا فَلَا تَفْعَلُوا

“Abi Dhar reported that al-Nabiyy ﷺ had said that Allah, the Exalted and Glorious, said: My servants, I have forbidden oppression on myself and also between you, so do not commit oppression.”¹⁸¹

b) *Hadith Marfu‘*:

Literal meaning : raised one.

Technical meaning : is a Hadith attributed to Muhammad Rasul-Allah ﷺ without any break or defect in transmission.

Four types of *Marfu‘ hadith*:

- a) *Marfu‘ qawli* : sayings of Rasul-Allah.
- b) *Marfu‘ fi‘li* : actions of Rasul-Allah.
- c) *Marfu‘ taqriri* : approvals of Rasul-Allah.
- d) *Marfu‘ wasfi* : physical, spiritual or moral virtues of Rasul-Allah.¹⁸²

١٢٤ وَقَالَ عَلِيٌّ حَدِّثُوا النَّاسَ بِمَا يَعْرِفُونَ أَلَّا يُكَذِّبَ اللَّهُ وَرَسُولُهُ ﷺ

“Aliyy Ibn Talib said: talk to people in a way they can understand you, do you want they should falsify Allah and His Rasul.”¹⁸⁸

b) **Mauquf Fi‘li:**

Example:

أَمَّ ابْنُ عَبَّاسٍ وَهُوَ مُتَيَّمٌ ﷺ

(Imam Bukhari said): “Ibn ‘Abbas led the *Salah* while he had *tayyamum*.”¹⁸⁹

c) **Mauquf taqriri:**

Example:

عن التابعي فعلت كذا امام الصحابه ولم ينكر علي

“A *tabi‘i* reported that: I did this in presence of Companions they did not prohibit me.”¹⁹⁰

d) **Hadith Maqtu‘:**

Literal meaning : broken.

Technical meaning : a Hadith going back to *tabi‘i* only.

Two types of *Hadith maqtu‘*:

a) *Maqtu‘ qawli* : sayings of *tabi‘i*.

b) *Maqtu‘ fi‘li* : actions of *tabi‘i*.

a) **Maqtu‘ qawli:**

Example:

Imam Hasan Basri was asked whether it is permissible to follow *mubtadi* (innovater) in a *salah* he replied:

صل و عليه بدعيه

“Offer [your *salah*] he is himself accountable for his innovation.”¹⁹²

b) **Maqtu‘ fi‘li:**

قال ابراهيم بن هاشم كان مسروق يرخي الستر بينه وبين اهله و يقبل على صلاته و يخليهم دنياهم

“Ibrahim Ibn Muntashir reported that Masruq used to draw a curtain between himself and his family and engaged him self in *Salah* thus remained unaware about them and their world.”¹⁹²

1. **Hadith Muttasil:**

Literal meaning : attached.

doubt correct and can be unhesitatingly taken as authentic, the most authentic books on Ahadith according to Imam Ibn Taimiyyah are the *Sahih* of Imam Bukhari and Imam Muslim, their place is next to the Qur'an from a religious point of view and as such they command universal respect.

It is true that though Muhammad Rasul-Allah ﷺ moved in an historical age, all his Ahadith were not recorded in a black and white during his life time. Nevertheless these Ahadith were faithfully kept in repositories of memories which formed the chief historical back ground for recording Ahadith of Muhammad Rasul-Allah ﷺ.

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِّمَن كَانَ يَرْجُوا اللَّهَ وَالْيَوْمَ
الْآخِرَ وَذَكَرَ اللَّهَ كَثِيرًا ﴿٢١﴾

“You have indeed in the Rasul-Allah a beautiful pattern [of conduct] for any one whose hope is in Allah and the Final Day, and who engages much in the praise of Allah.” (al Ahzab 33:21)

[Excellent example to follow] for mankind all his doings and actions which occurred during his *hayat tayyibah* were recorded, and nothing small or great, public or private escaped the careful and vigilant notice of his Companions. Question may arise that, it is impossible for any person to know all the sayings and doings of Muhammad Rasul-Allah ﷺ. The activities of Muhammad Rasul-Allah ﷺ might have been broad and many sided, and public sermons delivered in presence of the public or host of Companions might have been kept in memory, but it is rather impossible to narrate his sayings and doings when he used to spend his time with his family?! Firstly one has to keep this in mind that (*uswa hasanah*) does not mean example for public affairs only what it meant is complete and comprehensive character which was always under Divine guidance and which has to be followed in public as well as in private or individual matters, that's why (*uswa hasanah*) of Muhammad ﷺ was preserved so minutely. Secondly he had several wives all of them were lodged in his house, and they were intelligent enough to observe his deeds in his private life, they have narrated Ahadith from him, his beloved wife 'Ai'sha alone has narrated more than 2000 Ahadith from him.

وَأَذْكُرَنَّ مَا بُدِّلَ فِي بُيُوتِكُمْ مِّنْ آيَاتِ اللَّهِ وَالْحِكْمَةِ إِنَّ اللَّهَ
كَانَ لَطِيفًا خَبِيرًا ﴿٢٤﴾

“And recite what is rehearsed to you in your homes, of the Signs of Allah and His *hikmah*: for Allah

understands the finest mysteries and is well-acquainted
[with them].” (al Ahzab 33:34)

They faithfully transmitted them to the public for guidance. His servant, Anas who served him for nearly ten (10) years, his daughter Fatimah, his wives particularly ‘A’isha, Maimunah, Umm Salma, Hafsa, Zainab and others were the depositaries of Ahadith concerning domestic life, and thus hundreds of Ahadith were narrated by them. Thirdly preservation of Ahadith was greatly assured by the fact that Muhammad Rasul-Allah ﷺ had a band of devoted followers and adherents from the beginning of his *Nubbuwah* upto his demise particularly *Ashab ahl Suffah* who devoted their whole lives for Hadith learning who not only sacrificed their lives, properties, hearth and home, for the propagation of Islam. So great was their devotion, fidelity, respect, love and attachment for Muhammad Rasul-Allah ﷺ that they held his life dearer to them than their own lives and there was nothing which they could not do for the preservation of his sayings and deeds. Thus it is not strange that the sayings and doings of Muhammad Rasul-Allah ﷺ were preserved by his Companions and followed in their practical life without any doubt or question. These were the chief causes that we find every thing of Muhammad Rasul-Allah’s ﷺ sayings and deeds recorded either in their minds depository or on tangible something.

The Ahadith were narrated from Companions of Muhammad Rasul-Allah ﷺ to their successors (*tab’in*) and for them to their successors (*taba’ tab’in*) who had them recorded in books.

In the selection of *sahih* Ahadith *muhaddithun* established certain methods in order to gather the authentic Ahadith from the vast treasure of Ahadith then existing. We have mentioned earlier some conditions and rules adopted by the *muhaddithun* which shows how particular, laborious, sincere and strict were they in taking the Ahadith as authentic. *Muhaddithun* approached the subject in various ways and it developed into a system of complete science. The narrators had certain qualifications which were known to public. Anybody and everybody did not collect Ahadith; and if they collected, they would not be heard on account of their character not being established. In addition to this *muhaddithun*, were serious to ascertain, whether the narrator had conveyed the sense of what he had heard from the actual words of Muhammad Rasul-Allah ﷺ or not. Only in the case of a person who is proved to have been known for his piety, knowledge and retentive memory narrations were accepted.

According to Imam Ibn Taimiyyah *‘Ilm jarah wal tad’il* (science of scrutiny of the reporters of Ahadith) became source of preservation of religion,

some among the Islamic scholars are narrators of Ahadith and some have deep understanding of Ahadith and *darayat* (knowledge of Ahadith particularly of its texts), some have committed Ahadith to their memory and some have specialization in its meaning.¹⁹⁵

In this way, they felt the necessity of knowing the biographies of the narrators, and thus there grew the science of *Asma al Rijal* (comprehensive biographies of narrators) it is said that the lives of nearly 19, 00, 000 narrators have been put in black and white by experts of *‘Ilm Asm al Rijal*.

Muhaddithun also made a distinction between Ahadith relating to matters of faith and jurisprudence and other Ahadith relating to persuasion for good deeds, history and biography. With regard to the former, they were stricter Imam Ibn Taimiyyah quoted Imam Ahmad Ibn Hanbal.

When we narrate from Muhammad Rasul-Allah about, what is lawful or prohibited we are strict about the chain of transmission and in the criticism of narrators, but when we relate reports on the merits of people and about *targhib wa tarhib* (persuasion and prohibition) we are lenient about transmission and overlook the defects of the narrators.¹⁹⁶

Imam Ibn Taimiyyah says that if it is proved that Hadith is not *maudu’* but weak only it is permissible to narrate and to act on this Hadith he says: as every person knows that, business is always profitable if one comes to know that business gives huge profit, if this is true he will get this huge benefit and if this (information) is false it will not harm him any way (even then he will get what is due benefit from it).¹⁹⁷

About *‘Ilm al asnad* Imam Ibn Taimiyyah said it is a distinctive feature of *Ummat-i-Muhammadi* that they introduced *‘Ilm al asnad* which became stairs for understanding and differentiating between *sahih* (authentic) and *saqim* (poor), established and baseless narrations, *‘Ilm al asnad* and *‘Ilm al riwayat* is Allah’s favour unto *Ummat-i-Muhammadi*, *ahl al Kitab* (Jews and Christians) were deprived of this favour and some misguided sects too are deprived of this favour.¹⁹⁸

CHAPTER NOTES II

1. Ibn Taimiyyah, MF, op.cit. vol.1, p.9.
2. Ibid, vol.3, pp.247, 248.
3. Ibid, vol.13, p.177.
4. AD, 3988.
5. Ibn Taimiyyah, MF, op.cit. vol.7, p.30.
6. Idem.
7. Imam Shafi'i, p.cit. p.43.
8. Qadi 'Ayyad, *al Shifa*, Beirut Lebanon, Dar al Arbiyah, vol.2, p.287.
9. TM, 2593.
10. TM, 2574.
11. BU, 101.
12. TM, 2580.
13. AD, 3168.
14. Ibid, 104.
15. Salih, *'Ulum al Hadith*, New Delhi India, Islamic Book Foundation 1422 A.H.p.34.
16. Gilani, op.cit. p.269.
17. MU, 5326.
18. TM, 2591.
19. Ibn Taimiyyah, MF, op.cit. vol.20, p.177.
20. AD, 3161.
21. BU, 595.
22. MU, 2286.
23. Muhammad Taqiyy 'Uthmani, *The Authority of Sunnah*, New Delhi, Kitab Bhawan 1998, pp.92,93.
24. AD, 3175.
25. DM, vol.1, p.82.
26. 'Uthmani, op.cit. p.88.
27. MU, 5326.
28. TM, 2590.
29. Salih, op.cit. p.286.
30. Ibn 'Abd al Birr, op.cit. vol.1, p.72.
31. Ibn Sa'd, op.cit. vol.2, p.371.
32. MH, vol.1, p.106.
33. AD, 3161.
34. Idem.
35. TM, 2592.
36. AD, 983.
37. TM, vol.2, p.59.
38. DQ, 343.
39. Mas'ud Ahmad, *Tafhim al Islam*, Kashmiri, Jami'at Ahl al Hadith, 1981, p.42.
40. Idem.
41. MU, 2271.
42. 'Ubaid Allah, *Kitab al Amwal*, Deoband U.P. India, Maktaba Thanwi, 1963, p.193.
43. Imam Shawkani, *Nail al Awtar*, Beirut Lebanon Dar al 'Aruba, 1931, vol.7, p.49.

44. NS, vol.2, p.218.
45. AD, vol.1, p.237.
46. DM, p.68.
47. BU, 1448.
48. Muhammad Say'id Khatib Augli, *Sharaf Ashab al Hadith*, Anqara, n.d., 1972, p.36.
49. DQ, p.210.
50. TM, 2090.
51. TM, 1643.
52. AD, 2528.
53. DM, 2726.
54. Mas'ud, op.cit. p.42.
55. BU, 108.
56. Kanz al A'mal, vol.4, p.57.
57. BU, 110.
58. Ibn 'Abd al Birr, op.cit. vol.1, p.74.
59. Muhammad Hamid Allah, Muqadam *Sahifah Hamam*, n.p., n.d, p.46.
60. Ibid, p.46.
61. Idem.
62. Ibid, 39.
63. TM, chap. *al Bayu'*, vol.1, p.461.
64. Ibid, chap. *al Ahkam*, vol.1, p.501.
65. Mas'ud, op.cit. p.54.
66. Hamid Allah, op.cit. p.40.
67. Khalis Islam, p.27.
68. Mas'ud, op.cit. p.43.
69. Ibn 'Abd al Birr, op.cit.,vol.1, p.73
70. TM, chapter. *al Bayu'*, p.461.Hamid Allah, op.cit. p.40.
71. Ibid, p.40...
72. Ibid, pp.31, 32.
73. Ibid, p.40.
74. Ibn 'Abd al Birr, op.cit. vol.1, p.72.
75. DM, p.69.
76. Hamid Allah, op.cit, p.42.
77. AD,3761
78. Mas'ud, op.cit. p.57.
79. Ghulam Jilani Baraq, *Baraq Islam*, Lahore Pakistan, Maktaba Urdu, n.d., p.91.
80. TM, chapter *al Zakah*, p.249.
81. Ibn Sa'd, op.cit. vol.1, p.263.
82. Mas'ud, op.cit. p.41.
83. Ibid, p.28.
84. Ibid, p.348.
85. Ibid, p.384.
86. Ibid, p.353.
87. 'Uthmani, opacity. pp.100-102.
88. Ibn Taimiyyah, MF, op.cit. vol.18, p.20.
89. Ibid, pp.20-24.
90. M. Mustafa Azmi, *Studies in Hadith Methodology and literature*, Lahore Pakistan, Suhail Academy, 2002, pp.19, 24.
91. BU, 97.
92. 'Abd al Razaq, *al Musanaf*, n.p, n.d., vol.11, p.258.

93. Ibn Taimiyyah, MF, op.cit. vol.20, p.177.
94. Ibid, p.178.
95. BU, 93.
96. Ibid, 94.
97. TM, 2593.
98. TM, 39.
99. Azmi, op.cit. pp.3-5.
100. Ibn Taimiyyah, M.F, op.cit. vol.18, pp.8-10.
101. BU, 631.
102. MU, 1297.
103. BU, 3.
104. Ibn Taimiyyah, MF, op.cit. vol.18, pp.8-10.
105. Azmi, op.cit. p.47.
106. Ibn Taimiyyah, MF, op.cit. vol.18, p.30.
107. Ibid, p.31.
108. BU, 107.
109. Ibid, 6575.
110. Ibn Taimiyyah, MF, op.cit. vol.18, pp.13,30.
111. BU, 100.
112. Ibid, 102.
113. Ibid, 9.
114. AD, 410.
115. Mahmud al Tahan, *Istilahat Hadith*, Islamic Book Foundation, New Delhi, p.34.
116. Idem.
117. Idem.
118. al Tahan, Mahmud, op.cit. pp.33,34.
119. MU, 44.
120. BU, 1.
121. BU, 4780.
122. Ibn Taimiyyah, MF, op.cit. vol.18, p.17.
123. BU, 1.
124. MU, 2770.
125. Ibn Taimiyyah, op.cit. vol.18, p.17.
126. BU, 152.
127. Ibn Kathir, *Ikhtsar 'Ulum al Hadith*, (com. Ahmad Muhammad Shakir), Beirut Lebanon, Moususah al Kutub al Thaqafiyah, 1408 A.H., p.21.
128. al Tahan, op.cit. p.41.
129. Salih, op.cit. p.181, Ibn Taimiyyah, MF, op.cit., vol.18, p.27.
130. Ibn Taimiyyah, MF, op.cit. vol.18, p.31.
131. Fazlul Karim, *al Hadith*, (tr. of *Mishkat al Masabih*), New Delhi, Islamic Book Service 2001, p.23.
132. BU, 723.
133. TM, 22.
134. Salih, op.cit. p.184.
135. Ibn Taimiyyah, MF, op.cit. vol.18, p.25.
136. BU, 2607.
137. TM, 1031.
138. BU, 5272.
139. Idem.
140. AD, 2816.

141. Salih, op.cit. p.194.
142. TM, 125.
143. Ibn Taimiyyah, MF, op.cit. vol.18, p.18.
144. BU, 12.
145. MU, 2856.
146. MT, 1271.
147. Al Tahan, op.cit. p.227.
148. Ibid, p.229.
149. Ibid, p.77.
150. Ibid, p.68.
151. Salih, op.cit. pp.127-147.
152. Ibid, p.154.
153. Ibn Taimiyyah, MF, op.cit. vol.18, p.28,29.
154. al Tahan, op.cit. p.85.
155. Ibid, p.87.
156. Salih, op.cit. p.270.
157. Azmi, op.cit. p.79.
158. Jalal al Din Sayuti, *al Tadrib al Rawi*, Cairo, n.p.,1352 A.H.vol.2, p.100.
159. Salih, op.cit. p.163.
160. Ibid, p.165.
161. Ibn Taimiyyah, MF, op.cit. vol.18, p.14.
162. MU, 2789.
163. Ibn Taimiyyah, MF, op.cit. vol.18, p.14.
164. Salih, op.cit. p.286.
165. BU, 165.
166. Salih, op.cit. p.175.
167. MU, 1031.
168. Ibid, 1712.
169. Salih, op.cit. p.179.
170. MU, 972.
171. TM, 56.
172. IM, 1779.
173. Salih, op.cit. p.183.
174. MU, 1184.
175. Salih, op.cit. pp.185,187.
176. MU, 743.
177. AD, 2515.
178. TM, 385.
179. BU, 1160.
180. Salih, op.cit. p.197.
181. MU, 4674.
182. al Tahan, op.cit. p.120.
183. BU, 5649.
184. BU, 5656.
185. Ibid.5207.
186. MU, 2340.
187. Salih, op.cit. pp.120,121.
188. BU, 49.
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191. BU, vol.1, p.115.
192. Abu Nu‘aim, Ahmad Ibn ‘Abd Allah al Isbahani, *Hilyat al Awliya*, Cairo, n.p.,1932,vol.2, p.157.
193. MU, 418.
194. Ibid, 3292.
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198. Ibid, vol.1, p.1.

CHAPTER 3

IMAM IBN TAIMIYYAH'S ERA AND THOUGHT

Genealogical tree: Hafiz Taqiyy al Din Abu al 'Abbas Ahmad Ibn Shahab al Din Abu al Muhasin 'Abd al Halim Ibn Mujjadad al Din Abu al Barkat 'Abd al Salam Ibn Abu Muhammad 'Abd Allah Ibn Abu al Qasim al Khadir Ibn al Khadir Ibn 'Aliyy Ibn 'Abd Allah.¹

Ibn Taimiyyah's dynasty became famous after the name of Taimiyyah. Ibn Khalkan has narrated the basis of its nomenclature on the authority of Ibn al Mustawaffi that Ibn Taimiyyah's great grandfather Abu al Qasim al Khadir's elder son Fakhr al Din Muhammad al Khatib (d.604 A.H) passed through a village namely 'Arbal' while going to perform *hajj*. Ibn al Mustawaffi met him, and asked him about the basis of Taimiyyah nomenclature. He replied that his maternal grand father performed the *hajj* at that time his grand mother was expecting child. When he arrived at 'Taimah', small village in the desert of 'Tabuk' he saw a beautiful girl coming out of the camp. When he returned to his country after performing *hajj*, the glad tidings of the birth of girl was conveyed to him, and when that girl was presented to him he saw she had a resemblance with the girl whom he had seen in 'Taimah' so he spontaneously shouted ya! Taimiyyah: Ya! Taimiyyah! And later on this girl achieved so much of fame that all her children became famous by the name of Taimiyyah.²

While narrating this incident Ibn Khalkan has expressed the doubt that if it is imputed to 'Taimiyyah' then syntactically it should have been 'Taimawiyah'.³ Hafiz Ibn Rajab has quoted on account of Muhammad Ibn al Najar, who was one of the famous disciples of Fakhr al Din Muhammad al Khatib, that the name of Abu al Qasim al Khadir's grand mother was Taimiyyah, She was pious, well learned and intelligent and used to deliver sermons.⁴

Ibn Taimiyyah's famous disciple Hafiz Ibn Kathir (d.774 A.H) has supported this narration in his book *Ikhtisar al 'Ulum al Hadith*, in which he has mentioned that name of one of Ibn Taimiyyah's great grandmother was Taimiyyah.⁵

Birth and Emigration

Imam Ibn Taimiyyah was born on 10th of Rabi‘ al Awwal, 661 A.H in Harran, Harran has been the cradle of philosophy and philosophers. *Sabin* creed was propagated here and before the emergence of Islam. *Sabin* sect progressed and advanced at large extent in Harran.

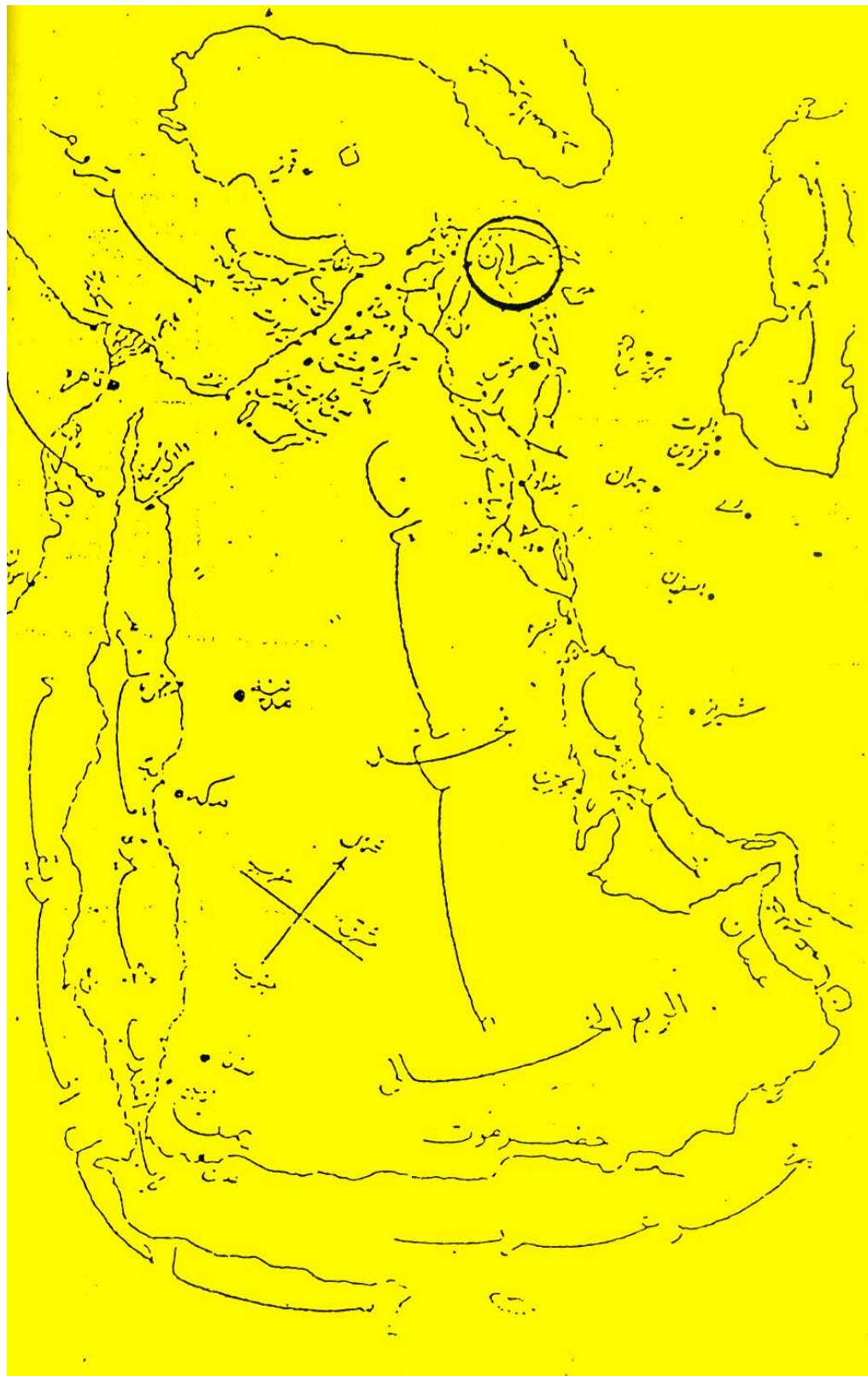
Upto the age of six (6) years, Imam Ibn Taimiyyah stayed in his own country and it was the beginning of his seventh year Tatar began to loot the city of Harran, whole city got afflicted by the massacre, everyone ran here and there to save ones life and honour. Some afflicted and victimized members of Taimiyyah family went to Damascus. After cordoning the area Tatar men were looting and plundering the city, every person was under attack of Tatar men. There was hardly any place unaffected. Not only the city but outgoing roads too were unsafe even then this reputed and well read family continued their journey to Damascus during nights. Being a family of scholars and jurists their important asset was their books. It was not question of the safety of their lives only but for them more precious was their library. By the grace of Almighty Allah after fatigue and hardship Taimiyyah family came out of the danger of Tatar enemies.⁶

With Allah’s grace and assistance whole family arrived at Damascus safely. Where they felt sigh of relief and satisfaction. Seven year old Imam Ibn Taimiyyah listen sensational and baffling events and he was viewing the bloodiest fables himself. He knew how his family was living the life of comfort and satisfaction, and now wandering for safety. This horrible journey left unforgettable impact on his mind as he was eyewitness to Tatar’s barbarism, the emotions of contempt and hatred for Tatars grew in his heart like a stiff rock which moulds his nature in such a way that he resisted barbarity of unjust rulers and found himself always ready to fight Tatars.

Though Tatars had embraced Islam at that time and had begun to live like other Muslims, but barbarism and cruelty had became their habit. Imam Ibn Taimiyyah knew well that transgression and oppression is mingled in their temper. Therefore till they did not abstain from their mischievous actions and repent whole heartedly, the only way to make them subservient is to fight them.⁷

Imam Ibn Taimiyyah’s father and ancestral legacy

When Imam Ibn Taimiyyah’s family settled in Damascus after the migration from their country, and commenced to live in peace and harmony. Imam Ibn Taimiyyah’s esteemed father ‘Abd al Halim Shahab al Din became famous for his piety and knowledge, he was appointed a teacher in reputed Central



Educational Institution of Damascus, thus people used to learn Islamic sciences from him and very soon he was appointed teacher in *Dar al 'Ulum al Sakriyah*.

Pedigree of Imam's mother

All the historians seem to be silent about the pedigree of Imam Ibn Taimiyyah's mother; they do not impute her to any dynasty or clan. Our conception reaches to some extent of believing that his mother too was not Arab born. She lived up to the period of fame of her son; she used to encourage him providing the instruments and tools of *jihad* on the occasion of *jihad*. During the period of woes and worries in Egypt, Imam Ibn Taimiyyah used to console and solace his respected mother by writing letters to her.⁸

Imam Ibn Taimiyyah's childhood and education

Imam Ibn Taimiyyah's whole family has been the possessors of retentive memory and art of lecturing. Every member of this family had devoted himself to the acquirement of knowledge and sublimity, it was because of this family tradition that, Ibn Taimiyyah in his very childhood showed interest in learning and before the achievement of adolescence he committed the Qur'an to his memory and made recitation of the Qur'an his habit, he did not even give up this habit in the confinement of prison and approximately he accomplished the recitation of the Qur'an there eighty (80) times. After committing the Qur'an to his memory he devoted himself for Hadith learning besides this he also learned basic principles of philology and Islamic jurisprudence.⁹

Imam Ibn Taimiyyah possessed three such qualities, impact of which later bore a lot to his life. These qualities are as under:

- a) He had no interest in games in his childhood; he always avoided company of such friends who were interested in playing. He always used to engage himself in learning.
- b) He learned a lot from mutual conversations and discussions he committed to his memory lot of Islamic sciences.
- c) He was intelligent and possessed retentive memory, his approach was always straight forward, he proved to be sagacious and discerning.¹⁰

It is known by various narrations that before reaching Damascus he had started his education in Harran according to the family tradition. He has quoted a Hadith, heard in 666 A.H when he was just five years of age, in his booklet *Arba'un Hadith*. Soon after he reached Damascus he resumed his education in a systematic manner. In the 7th century there was no dearth of seminaries and scholars in Damascus. Everywhere the scholars of various Islamic sciences were

available. There were two reputed institutes of Hanbali school of thought in Damascus, one was situated in vicinity of Qassa'in namely *Dar al Hadith al Sakariyah*, Ibn Taimiyyah's father 'Abd al Halim was *Shaikh al Hadith* of this institution, another seminary was *Madrasat al Hanbaliyah* which was located in Safahqasiyun Damascus, this seminary was also known as *Madrasah Abi 'Umar* because famous Hanbali scholar Shaikh Abu 'Umar Muhammad Ibn Quddama Maqdasi had laid the foundation of this seminary in 598 A.H. Ibn Taimiyyah acquired knowledge from the teachers of both these seminaries.

Sharp and retentive memory

Ibn Taimiyyah had miraculous memory. Stories of his retentive memory are famous. He used to memorize number of passages just by reading them once only. Since he had a special interest in art of Hadith he committed to his memory large number of Ahadith books. It is because of his retentive memory he wrote various booklets exclusively on the basis of his memory. Hallmark of his works is that he frequently quoted the Qur'an and the Ahadith in it.

Hafiz Ibn 'Abd al Hadi has cited a narration in his book *al'Uqud al Durriyyah*, he mentions that, once a scholar came to Damascus from Halb, where he had heard about the retentive memory of Ibn Taimiyyah, so he became curious to see him, he went to the shop of a tailor and asked him whereabouts of Ibn Taimiyyah, tailor replied, the time of seminary is over, he will soon pass by this way, Ibn Taimiyyah was a child at that time, when he passed by the way, tailor while intimating towards Imam Ibn Taimiyyah said he is the boy you were looking for, scholar called him and asked him something about his education. Imam Ibn Taimiyyah was holding tablet in his hands, scholar asked him to clean this tablet, then he made him to write about eleven or twelve Ahadith and asked him to recite them Ibn Taimiyyah had a profound look at his tablet and handed over it to him and recited all these Ahadith without a single mistake, scholar was astonished by this miraculous memory. He again tested his memory by dictating some narrations of Ahadith and asked him to recite them without reading them from his tablet Ibn Taimiyyah read them once only and accordingly recite them, scholar was surprised over this, and said if this boy lives, definitely he will achieve high status as he had extraordinary memory which I have not seen anywhere.¹¹

More baffling event than this has been narrated by Imam Abu al Muzafar Yusuf Ibn Muhammad Ibn Mas'ud al Sarmavi al Damshaqi (d.774 A.H) in his book *Imali* under the topic memory and remembrance.

Among the unique and matchless memorizers of our era was Abu al 'Abbas Ahmad Ibn 'Abd al Halim Imam

Ibn Taimiyyah whenever he used to study a book he got it preserved in his memory, and he could quote then number of pages from this book without looking into it. Most surprising and wonderful event which was narrated to me by his friends is that once Shaikh ‘Abd al Halim desired to visit a garden with his children. Imam Ibn Taimiyyah was a kid at that time; his father asked him to come along with them but in spite of insistence he refused to go, out of compulsion, he had to leave him at home and went to garden with his other children. When he returned in the evening, he told Imam Ibn Taimiyyah we enjoyed our visit to garden very much but how sad you did not come with us. Imam Ibn Taimiyyah while intimating towards the book he was holding, said how could have I memorize this book had I been with you? ‘Abd al Halim was surprised over this reply from his son and asked him did you memorize entire book? He replied yes, Shaikh ‘Abd al Halim took the book from him and asked him to recite it. He recited the whole book. Shaikh ‘Abd al Halim’s joy knew no bounds and he embraced his son advised him! Do not relate this thing to anybody otherwise you shall come under the influence of evil eye.¹²

Teachers of Hadith

Ibn Taimiyyah had utmost interest in Hadith learning. Besides the contemporary sciences, he used to learn Ahadith by reciting them before his teachers and had deliberations over Ahadith with his teachers. Hafiz Ibn ‘Abd al Hadi has written that the number of Imam Ibn Taimiyyah’s teachers of Hadith is more than two hundred (200). We have compiled a brief list of his teachers of Hadith from his booklet *‘Arba ‘un Hadith* with every Hadith, he has mentioned the date of listening Hadith, also. It also helps to know about his education period. He used to be present in service of his teachers from 662 A.H to 684 A.H. It is noteworthy to mention here that his teachers of Hadith comprise some women also. Imam Ibn Taimiyyah heard these Ahadith from his teachers when he was twenty (20) or twenty two (22) years of age.

---Shaikh Zain al Din Abu al ‘Abbas Ahmad Ibn ‘Abd al Da’im Ibn Nu‘ama Ibn Ahmad Ibn Muhammad Ibn Ibrahim Ibn Ahmad Ibn Bakir Nablasi Maqdasi was born in 575 A.H. He traveled to various countries for the sake of knowledge and got specialization in *‘Ilm al Hadith*. He died in 668 A.H, and is buried in the graveyard of Qasiyun Damascus. It is manifested from the narrations that after

arriving at Damascus. Imam Ibn Taimiyyah as a benediction learned Ahadith from him. In 667 A.H he learned Hadith booklet *Juz Ibn 'Arfah* from him.

----Chief justice Shams al Din Abu Muhammad 'Abd Allah Ibn Shaikh Sharf al Din Muhammad Ibn After Ibn Hasan Ibn 'Atta Ibn Jubair Ibn Jabir Ibn Wahaib al Adhri'al Hanfi was born in 598 A.H. He got specialization in Hanfi jurisprudence. He worked as deputy to Shafi'i chief justice for some time. When judges from four schools of thought were recruited in Egypt, Shams al Din was appointed as first chief justice of Hanfi school of thought; he was famous for his piety and outspokenness. He died in 673 A.H and was buried in the valley of Qasiyun. Imam Ibn Taimiyyah heard Hadith from him in 667 A.H.

----Chief justice Shams al Din Abu Muhammad 'Abd al Rahman Ibn Shaikh Abu 'Umar Ibn Muhammad Ibn Ahmad Ibn Muhammad Ibn Qudama Maqdasi Hanbali was born in 596 A.H. He was first chief justice of Hanbali school of thought in Damascus, but after some time he resigned from this post and decided to be teacher, he was pious and virtuous. He died in 683 A.H. Imam Ibn Taimiyyah heard Hadith from him in 667 A.H at Qasiyun.

----Mujjad al Din Abu 'Abd Allah Muhammad Ibn Isma'il Ibn 'Uthman Ibn al Muzafar Ibn Haba Allah Ibn 'Asakir al Damshaqi was born in 587 A.H. he died in 669 A.H. Imam Ibn Taimiyyah heard Hadith from him in 667 A.H.

-----Abu Muhammad 'Abd al Wasi' Abu Bakr Ibn Muhammad Ibn Abi Bakr 'Abd al Was' al Harwi was born in 594 A.H and died in 673 A.H. Imam Ibn Taimiyyah narrated Hadith from him which he heard from him in 668 A.H, he also read Ibn Ishaq's book *al Ghazi* from him.

-----Kamal al Din Abu Zakaria Yahya Ibn Mansur Ibn Abi al Fateh Ibn Raf' Ibn 'Aliyy Ibn al Sairfi al Harani. Ibn Taimiyyah heard Hadith from him in 668 A.H.

-----Jamal al Din Abu al Farj 'Abd al Rahman Ibn Sulaiman Ibn Sayyid Ibn Sulaiman al Baghdadi was born in 585 A.H in Harran and died in 670 in Damascus. Imam Ibn Taimiyyah heard Hadith from him in 668 A.H.

-----Zain al Din Abu Bakr Muhammad Ibn Abi Tahir Isma'il Ibn 'Abd Allah Ibn 'Abd al Muhsin al Inmati was born in 609 A.H and died in 684 A.H in Cairo. Imam Ibn Taimiyyah heard Hadith from him in 668 A.H.

-----Jamal al Din Abu Hamid Muhammad Ibn 'Aliyy Ibn Mahmud Ibn Ahmad Ibn 'Aliyy Ibn al Sabuni was born in 604 A.H and died in 680 A.H. Imam Ibn Taimiyyah heard Hadith from him in 668 A.H.

-----Kamal al Din Abu Nasr 'Abd al 'Aziz Ibn 'Abd al Muni'm Ibn al Khadir Ibn Shabal Ibn 'Abd al Harthi was born in 585 A.H. and died in 680 A.H. Imam Ibn Taimiyyah heard Hadith from him in 669 A.H.

-----Taqiyy al Din Abu Muhammad Isma'il Ibn Ibrahim Ibn Abi al Yasir al Tanukhi was born in 589 A.H and died in 672 A.H. Imam Ibn Taimiyyah heard Hadith from him in 669 A.H.

-----Saif al Din Abu Zakaria Yahya Ibn 'Abd al Rahman Ibn Najam Ibn 'Abd al Wahab al Hanbli was born in 592 A.H and died in 672 A.H. Imam Ibn Taimiyyah heard Hadith from him in 669 A.H.

-----Zain al Din Abu al 'Abbas al Moumil Ibn Muhammad Ibn 'Aliyy Ibn Muhammad Ibn 'Aliyy Ibn Mansur al Maumil al Basi was born in 603 A.H and died in 677 A.H. Imam Ibn Taimiyyah heard Hadith from him in 669 A.H.

-----Rashid al Din Abu 'Abd Allah Muhammad Ibn Abu Bakr Muhammad Ibn Muhammad Sulaiman al 'Amiri died in 682 A.H. Imam Ibn Taimiyyah has narrated Ahadith which he heard from him in 669 A.H and 677 A.H.

-----Kamal al Din Abu Ishaq Ibrahim Ibn Ahmad Ibn Isma'il Ibn Faras al Tamimi al Sa'd was born in 596 A.H and died in 676 A.H. Imam Ibn Taimiyyah heard Hadith from him in 674 A.H.

-----Sharf al Din Abu 'Abd Allah Muhammad Ibn 'Abd al Mu'nim Ibn 'Umar Ibn 'Abd Allah Ibn 'Aziz Ibn 'Abd al Qawas al Tai' was born in 601 A.H and died in 683 A.H. Imam Ibn Taimiyyah heard Hadith from him in 675 A.H.

-----Abu 'Abd Allah Muhammad Ibn Badr Ibn Muhammad Ibn Bi'esh al Jazri died in 675 A.H. Imam Ibn Taimiyyah heard Hadith from him in the same month.

-----Zain al Din Abu Ishaq Ibrahim Ibn Ahmad Ibn Abi al Faraj Ibn Abi Zahir Ibn Muhammad Ibn Nasr alias Babn al Sadid al Ansari al Hanfi died in 677 A.H at the age of seventy three (73) Imam Ibn Taimiyyah heard Hadith from him in 675 A.H.

-----Zain al Din Abu al 'Abbas Ahmad Ibn Abi al Khair Slama Ibn Ibrahim Ibn Salama Ibn al Hadad al Damshaqi was born in 609 A.H and died in 678 A.H. Imam Ibn Taimiyyah heard Hadith from him in 675 A.H.

-----'Amad al Din Abu Muhammad 'Abd al Rahman Ibn Abi al Sa'r Ibn al Samad Ibn al Sa'ig al Ansari died in 679 A.H. Imam Ibn Taimiyyah heard Hadith from him in 676 A.H.

-----Amin al Din Abu Muhammad al Qasim Ibn Abi Bakr Ibn Qasim Ibn Ghanimat al Arbali was born in 595 A.H and died in 680 A.H. Imam Ibn Taimiyyah heard Hadith from him in 677 A.H.

-----Abu Bakr Ibn 'Umar Ibn Yunus al Muzi al Hanfi was born in 593 A.H and died in 680 A.H. Imam Ibn Taimiyyah heard Hadith from him in 677 A.H.

-----Chief justice Nafis al Din Abu al Qasim Habt Allah Ibn Muhammad Ibn 'Aliyy Ibn Jarir al Harthi al Shafi'i died in 680 A.H at the age of seventy three (73). Imam Ibn Taimiyyah heard Hadith from him in 679 A.H.

-----Shams al Din Abu al Ghana'im al Muslim Ibn Muhammad Ibn Muslim Makki Ibn Khalaf Ibn Ghailan al Qaisi al Damshaqi was born in 594 A.H and died in 680 A.H he was buried in Qaisyun. Imam Ibn Taimiyyah heard Hadith from him in 680 A.H.

-----Shaikh Burhan al Din Abu Ishaq Ibrahim Ibn Shaikh Safi al Din Abu al Fida Isma'il Ibn Ibrahim Ibn Yahya Ibn 'Alwi Ibn Husain Ibn Radi al Azji al Qarshi al Hanfi was born in 599 A.H and died in 681 A.H. Imam Ibn Taimiyyah heard Hadith from him in 680 A.H.

-----Shaikh Najib al Din Abu al Marhaf al Maqdad Ibn Abi al Qasim Haba Allah Ibn al Maqdud Ibn 'Aliyy al Qaisi was born in 600 A.H and died in 681 A.H.

-----Kamal al Din Abu Muhammad 'Abd al Rahim al Mulk Ibn Yusuf Ibn Qudama al Maqdasi was born in 598 A.H and died in 680 A.H. Imam Ibn Taimiyyah heard Hadith from him in 680 A.H.

-----Shaikh Najam al Din Abu al 'Izz Yusuf Ibn Yaqub Ibn Muhammad Ibn 'Aliyy al Majawir al Shaibani was born in 601 A.H and died in 690 A.H. Imam Ibn Taimiyyah heard Hadith from him in 680 A.H.

-----Jamal al Din Ahmad Ibn Abi Bakr Ibn Sulaiman al Waiz al Hamwi was born in 600 A.H and died in 687 A.H. Imam Ibn Taimiyyah had heard Hadith from him in 680 A.H.

-----Fakhr al Din Abu al Hasan 'Aliyy Ibn Ahmad Ibn 'Abd al Wahid al Maqdasi al Hanbali alias Babu al Najar was born in 596 A.H and died in 690 A.H. Imam Ibn Taimiyyah had heard Hadith from him in 681 A.H.

-----Abu Yahya Isma'il Ibn Abi 'Abd Allah Ibn Hamad Ibn 'Abd al Karim al Asqalani was born in 599 A.H and died in 682 A.H. Imam Ibn Taimiyyah had heard Hadith from him in 681 A.H.

-----Shaikh 'Aliyy Ibn Mahmud Ibn Shahab was born in 595 A.H and died in 680 A.H.

-----Shams al Din Abu al Faraj 'Abd al Rahman Ibn Ahmad Ibn 'Abd al Mulk Ibn 'Uthman Ibn Abu Allah Sa'd al Maqdasi was born in 606 A.H and died in 689 A.H.

-----Shams al Din 'Abd al Rahman al Maqdasi was born in 607 A.H and died in 688 A.H.

-----Umm al Khair bint al Arab bint Yahya Ibn Qaimaz Ibn 'Abd Allah al Tajih al Kindiyah was born in 599 A.H and died in 684 A.H. Imam Ibn Taimiyyah had heard Hadith from her in 685 A.H.

-----Umm al 'Arab Fatimah bint Abi al Qasim 'Aliyy Ibn Abi Muhammad al Qasim Ibn Abi al Qasim 'Aliyy Ibn al Hasan Ibn Haba Allah Ibn 'Abd Allah Ibn

al Husain Ibn ‘Asakir was born in 598 A.H and died in 683 A.H. Imam Ibn Taimiyyah had heard Hadith from her in 681 A.H.

-----Abu Muhammad ‘Abd al Rahman Ibn Ahmad Ibn ‘Abbas al Faqusi died in 682 A.H at the age of 75 years.

-----Shams al Din Abu ‘Abd Allah Muhammad Ibn Muhammad Ibn ‘Abbas Ibn Abi Jafwan al Ansari al Damashqi died in 682 A.H.

-----Shaikh Shams al Din Abu ‘Abd Allah Muhammad Ibn ‘Amir Ibn Abi Bakr al Ghasuli al Hanbali died in 684 A.H at the age of 80 years.

-----Muhiyy al Din Abu Hafas ‘Umar Ibn Muhammad Ibn ‘Abd Allah Ibn Muhammad Ibn Abi ‘Asrun Tamimi was born in 599 A.H and died in 683 A.H. Imam Ibn Taimiyyah had heard Hadith from him in the same year.

-----Sat al Dar bint Mujadd al Din Imam Ibn Taimiyyah (paternal aunt of Imam Ibn Taimiyyah). Imam Ibn Taimiyyah read *Baniyasi’s* one part from her in 683 A.H.

-----Abu al ‘Abbas Ahmad Ibn Shaiban Ibn Taqhlab Ibn Hadrat al Shaibani was born in 599 A.H and died in 685 A.H. Imam Ibn Taimiyyah had heard Hadith from him in 684 A.H.

-----al Shaikh al Saduq al Amin Sham al Din Abu Ghalib al Muzafar Ibn ‘Abd al Samad Ibn Khalil al Ansari died in 688 at the age of eighty two (82) years.

-----Umm Muhammad Zainab bint Ahmad Ibn ‘Umar Ibn Kamil al Muqdasiah was born in 601 A.H and died in 687 A.H. Imam Ibn Taimiyyah had heard Hadith from her in 684.¹³

Other teachers

Besides these teachers, Imam Ibn Taimiyyah heard Ahadith from various *muhaddithun* whose names are not known to us. He read various Hadith books from different teachers and had deliberations with them over these Hadith books. It is because of this extraordinary specialization in *‘Ilm al Hadith* it was said about Imam Ibn Taimiyyah:

الحديث لا يعرفه ابن تيمية ليس الحديث

“The Hadith which is not known to Ibn Taimiyyah
can not be a Hadith.”¹⁴

Shaikh Sulaiman Ibn ‘Abd al Qawi was considered as an authority on Arabic literature at that time. Ibn Taimiyyah read most of literary books from him. He read books on jurisprudence and principles of jurisprudence from his esteemed father Shahab al Din ‘Abd al Halim Ibn Taimiyyah. He also studied principles of jurisprudence and *fiqh* from Shaikh Shams al Din Ibn Abi ‘Umar and Shaikh Zain al Din Ibn al Manja.

Encyclopaedia of knowledge

Though, Imam Ibn Taimiyyah had read various books on Arabic literature, etymology, syntax, rhetorical devices, commentary, jurisprudence, Hadith theology, philosophy, mathematics, geometry, logic from different teachers, but he understood most of these books by self study and contemplation. He solved Sabviah's book without consulting any teacher by himself. There was no book available at that time which he got but did not read it. This regular study of every branch of knowledge opened new ways of contemplation to him. He began to examine every branch of Islamic knowledge on the criteria of the Qur'an and the Hadith. He extracted new jewels of knowledge from the life history of Muhammad Rasul-Allah ﷺ which gave him edge over his contemporary scholars. Since he had already sharpness in temperament therefore, he used to discuss difficult and ambiguous issues with his friends with enthusiasm and some times he made them dumb by his arguments and evidences, his retentive memory was most important asset for him. When their doubt and suspicion were not becoming clear by mere study of books he used to satisfy them by giving references from the Quranic verses and the Ahadith. He was frequently praying before Allah O! Teacher of Ibrahim! Bestow upon me understanding. With every passing day his thrust for knowledge was increasing, and in his last phase of life he exclusively devoted himself for studying. It was because of Imam Ibn Taimiyyah some ancient books which were eating dust at that time saw light of the day his contemporary scholars were totally ignorant and unaware about these books thus, he invited their attention towards these forgotten books, when we read extracts of these books in Imam Ibn Taimiyyah's books it surprises us how and from where Imam Ibn Taimiyyah got these ancient books. He, by his vast knowledge, became library in itself. Chief Justice Taqiyy al Din Ibn Daqiq was once asked about Imam Ibn Taimiyyah's vast knowledge, he replied I have met a person; every kind of knowledge is before his two eyes. Abu Hayan Andlusi, because of his encyclopaedic knowledge, called him Imam Mahdi and wrote encomium about him, here are some verses of this encomium:

داع الى الله فرد ما له وزر	لما اتينا نقي الدين لاح لنا
خير البريه نور دونه القمر	على محياه من سيما الاولي صحبوا
بحر تقاذف من امواجه الدرر	حبر تسديل منه دهره حبر

قام ابن تيميته في نصر شر عتنا مقام سيد تيم اذا عصت مضر
فاظهر الحق اذا آثاره درست واخذ الغر اذ طارت له شرر
كنا نحدث عن حبر يجي فيها انت الامام الذي قد كان ينتظر

When we came to Taqiyy al Din we came to know
that he lonely calls to Allah without any error.

His face glistens with the glow [*nur*] of the brow of
those people who had been in company of Noblest
Creature [Muhammad Rasul-Allah]. This glow out
weighs the luminosity of the moon.

He is the greatest scholar who made the time to put
on the cloak of scholarship. He is like that ocean whose
surges toss away the pearls.

Imam Ibn Taimiyyah stood for our law [*Shari'ah*] as
if the leader of *Taym* tribe [i.e. Muhammad Rasul-Allah]
stood when the tribe of *Mudr* flouted.

He surfaced the truth [*al haqq*] when its marks
where washed out and extinguished the sparks of evil
when there was sparkling.

We were discussing about that scholar who was to
come; and so you are that Imam to whom we were
waiting for.¹⁵

Pleasure for poetry

Allah had not created Imam Ibn Taimiyyah for the poetry but as a reformist
and revivalist. He had devoted whole of his life for the welfare and betterment of
Muslim *ummah* although he had poetic instincts too in his nature but he did not
utilize this endowment however whenever any person asked him question in
poetic style he too replied in the same poetic fashion. Once he was asked about the
issue of predestination in a poetic style he gave answer in a long poem. His
Companions narrate that when he commenced to write the answer of these
couplets, it was thought in the beginning that he is writing reply in prose, but to
their astonishment he wrote answer to these couplets in poetry, and wrote these
couplet and verses in the same flow and lucidity with which he used to write
prose.

He used to recite following couplets in prison; every verse of it denotes his
humility and humbleness.

انا الفقير الى رب البريات انا المسكين في مجموع حالاتي
انا الظلوم لتنسى وهي ظالمتي والخبر ان ياء تزامن عنده ياتي

ولا عن النفس في دفع المضرات	لاستطيع لنفسي جلب منقعه
ولا شفيع اذا حاطت خطيأتي	وليس لي دونه مولى يدبرني
ربي الشفيع كما قد جاء في الآيات	الاباذن من الرحمان خالقنا
ولا شريك له في بعض حاجاتي	ولست املك شيادونه ايدا
كما يكون لا رباب الولايات	ولا ظهير له كيما اعاونه
كما الغنى ايدا وصف له ذاتي	والفقر لي وصف ذات لاذم ايدا
وكلمهم عنده عبد له آتي	وهذه الحال حال الخلق اجمعهم
فهو الجيول الظلوم المترك العاتي	فمن بغ مطلبامن دون خالقه
ما كان منه وما من بعده ياتي	والحمد لله مل الكون اجمعه
خير البريته من ما ضي ومن آتي	ثم الصلوته على المختار من مضر
وهكذا كان ابي وجدى	انا المكدي وانا المكدي

I am impoverished near the Rabb of creations and necessitous in all situations.

I tyrannize my soul and my essence oppresses me. If there is an advantage for us it comes from Him.

Neither can I benefit my self and nor can I pull away the adverse from my being.

I have no Rabb except Him who can make provisions for me and there is no intercessor for me when I am scrambled by my evils.

But by our most compassionate Creator's permission my Rabb is to intercede for me as is given in the verses [of the Qur'an].

I can not be the owner of any thing without His will and there is no one associated to Him who can fulfill my needs.

As the masters and the rulers have the helpers there is no one to help Allah to whom I can help.

Need is my unending, indispensable and personal quality as Self-Sufficiency is the Eternal attribute of Allah.

This is the state of all creatures. All the people are his servants and will surrender their will to Him.

So the person who calls upon others except Him for his purposes is ignorant, oppressor, polytheist and arrogant.

All praises of the universe, which have been done so far and which will be uttered in future, be to Him.

The *salah* be upon Muhammad Rasul-Allah ﷺ who is the noblest among all created and to be created.

I am rumbling beggar I am rumbling beggar my father and forefathers too were rumbling beggars.¹⁶

Imam Ibn Taimiyyah's Era

Imam Ibn Taimiyyah's era was by every aspect full of disturbances and events. Politically, socially, morally, scientifically and religiously this was very important period. In order to understand the reformist struggle and scientific and revivalist temperament of Imam Ibn Taimiyyah, it is necessary to analyze the environment of that period in detail in which he was brought up and where he performed his revivalist and reformatory work.

When Imam Ibn Taimiyyah kept his step in the age of maturity, he was in strange mental dilemma because whatever he read about Islam as is evident by its teachings, that Islam is a radiant light but there was darkness and chaos everywhere. Conflicts and confusion was order of the day, Muslims were at their lowest ebb, sectarianism was common among them, and they were living in total disgrace. Being an outstanding scholar of history, Imam was very much disturbed by the conditions of Muslims, peace, justice and harmony among the Muslims which were important components of Muslim societies, were not their, consultative nature of government was no more there which results rulers had not cordial relations with their subjects, injustice, tyranny and oppression was common, people at the helm of affairs were oppressing their subordinates by every means. People were living under threat, their life, property and honour nothing was safe, chaos and conflict had damaged Muslim society deeply in nutshell, we can call Imam Ibn Taimiyyah's era an era of chaos, confusion and disturbance where people were accustomed of mischief and dissension, there was ideological stagnation as well as moral degradation in the society. We will discuss this here in brief.

Political situation

In every part of the world, the condition of Muslims was that they were divided into small kingdoms and were at war to each other, instead of love and harmony they were always eager to harm each other, and unjust rulers were persecuting their subjects regularly. World reputed Muslim historian Ibn Athir writes about these political crises:

Islam and Muslims had to confront such calamities and catastrophes no nation or community had ever confronted in history. Primary cause of these calamities was Tatars who were approaching towards the city from the east who were involved in such activities whosoever heard about them got shocked. Another concern was of Christians they were proceeding towards Syria from west side and were doing their best to occupy Egypt, they had already erected their flag on Egyptian borders, they would have occupied the whole Egypt, had Allah not been merciful and Muslims had failed to resist them.¹⁷

These are words of reputed and world famous historian Ibn Athir, who was alive during this later massacre. He comments that whosoever witnessed these events knows that Islam and Muslims were under assault from three different directions. Tatars attacked them from east, Christians were approaching towards them from west side and most disastrous aspect of this situation was mutual conflict of Muslims, different Muslim rulers and sects were at war to each other, it was this internal chaos and war like situation which ultimately invited foreign aggressors, another negative force was of *dhimi* who were working for foreign enemies, there was another so called Muslim sect who used to offer *salah* towards Ka'ba, but they were doing espionage for Tatars. Let us examine all these foes of Muslims here in brief:

First, there were those Christians who had been fighting with Muslims since 5th century A.H and it continued till 11th century A.H. Similar political crises were there in east and west.

Basically, before the era of Muslims from ancient times Persia and Greece had been fighting with each other when Rome took over as dominant power the series of war began between Rome and Persia, some times former got upper hand and some times latter. When Islam spread and Muslims started *Jihad* everything changed and Muslims took over the leadership of east. Romans fought with their full might but got defeated, thus Muslims occupied Syria and Egypt and hoisted flag of justice and peace in these countries. During the Ummawi and 'Abbasi rule Muslims completely demolished the power and strength of Romans.

But soon this phase of military successes came to an end. Muslim state was divided into small states, the period of decline and degeneration of Muslim *ummah* commenced and this process of division and decline reached at its peak since anathema of nation states concept got introduced in the Muslim *ummah* in 19th century. Muslims began to fight with each other which always have paved way for dissension and dispersion. This disturbance among the Muslims, gave opportunity

to Christians to unite their might against Muslims thus, they started to fulfill their evil designs it was ripe time for them to attack Muslim states but they failed to achieve their goal as a new Muslim government 'Saljokia' came into power. These Saljok's emerged from the plains of Turkistan and embraced Islam and within no time take over government of Khurasan. They also got moral support from 'Abbasi rulers, this support gave further flip to their movement, they snatched Egypt, Syria and Palestine from Fatimi rulers and occupied Kochan which was ruled by then Romans, they also broke Byzantine kingdom into pieces. Byzantine Empire now began to concern over Constantinople; they were of the opinion that if Saljok's will move towards it nobody can stop them from occupying Constantinople.

Causes of the Crusade

There was no option for the Christians but to seek help and assistance from their Latin brethren i.e. Rome, France and Europe, Latin's availed this opportunity as they were looking for it for long period, there primary objective was to take control of Church in Constantinople and to occupy Bait al Muqaddas because of its importance as a first cradle of Christianity. First battle with Christians took place when Peter inspired his people to take control of holy city Bait al Muqaddas, he motivated people in far flung areas for this battle which he considered of religious nature and obligatory for the Christians, he was the man who actually created the atmosphere for this first Crusade. Latin government was already looking for an opportunity to crush Muslims, in medieval areas of Spain and White Sea, it had been constantly intriguing. Ibn Athir writes about this situation:

Christians started their attacks on Muslim states in 478 A.H, during this phase Latin's defeated Muslims in Spain and Toledo, they occupied Sisly inland in 484 A.H and marched towards African states and occupied many cities there, and in 490 A.H they attacked Syria.¹⁸

***Dhimi* Christians**

Among these terrible and dreadful battles which Muslims fought with Christians there was an another issue pertaining to *Dhimis*, a good number of them were living in Palestine, who were working as guardians of sacred land and for them it was an honour to look after these sacred lands. Although they were not working as spies for their Christian brethren but their hearts were inclined towards them, they used to express their concern about their Christian brethren, whenever Christians defeated Muslims they were delighted on these occasions and failed to conceal their joy. Some among them were so biased that they were ready to

tolerate the ill treatment of their Christian brothers in comparison to Muslims. Their inclination towards fellow Christians is understood thus it was necessary for Muslim rulers to take precautionary measures. On certain occasions they were kept away from battle fields lest they would help their brethren or convey them secrets. It was not political war at all; both sides had religious inspiration, thus it was necessary to take precautionary measures regarding *Dhimis*. Every Christian was considered enemy by Muslims and every Muslim was enemy for Christians. In these circumstances Imam Ibn Taimiyyah's opinion to fix specific symbols for *Dhimis* was based on great expediency. In a war like situation it was must to make such an arrangement for Christians by giving them any specific symbol so that they can be identified where ever they go, and Muslim can run their affairs secretly.

Assault of Tatars

Imam Ibn Taimiyyah was an eyewitness to these crusades, the destructions it left was horrible. Soon after these wars started, about Tatar aggression, Ibn Athir writes:

I ignored to write about Tatar massacres for many years how is it possible for anyone to write about massacre of Muslims, no human being can dare to listen about these massacres, how better it would have been if my mother would have not given me birth, but some of my friends compelled me to write down these horrible events, to not to write these events would have not been beneficial even thus, I took pen to write down these events. These horrible incidents and drastic catastrophes vanished the days and nights, history failed to give such an example, although Tatars attacked everyone everywhere but Muslims became their main target, it would not be exaggeration to say that neither history right from the Adam had witnessed such horrible events nor mankind will ever witness such barbaric events till dooms day. Tatars were not forgiving anybody; they would cut off bellies of women and would not spare even infants in wombs. Flames of their barbarism reached the sky wherever they go they destroy everything which came before them.

All the historians are unanimous that Alexander had conquered the major part of the world but he too lacked swiftness as Tatars had. It took him ten years to occupy the major part of the world, but these Tatars destroyed number of well developed cities in days and occupied them by oppression and suppression. They spread such a

terror and scare all over that, people living in such areas where Tatars did not reached too were afraid of them, they too were living under fear and threat.

Their religious condition was that, they were worshipping sun. They used to prostrate at sun rising, nothing was unlawful for them, they used to eat every type of meat, flesh of dog and swine was their common meal. They did not believe in married life and matrimonial. One woman used to live as a wife of several men.¹⁹

Conditions of Muslim States at the time of Imam Ibn Taimiyyah

Imam Ibn Taimiyyah saw that Egypt was safe place for Muslims. All the measures for its protection and safety were intact there. He noticed that rulers, their ministers and officials have devoted themselves for the betterment of the state and subjects. If there ministers committed anything wrong or injustice with Imam Ibn Taimiyyah he always forgave them because of their sincere services to the state and common people, another reason for this attitude was because Egypt was most powerful Muslim state at that time. Enemies of Islam were afraid of Egyptian government. In Imam Ibn Taimiyyah's era atmosphere was absolutely political particularly Egypt and Syria was political battle field it was period of political instability and only Syrian and Egyptian governments were independent, all other Muslim States were under their patronage and had no law except the ordinance of rulers. There was no question of consultative type of government in these small states government officials were obeying orders from dominions just as stooges, government servants were working according to wish and will of rulers, there was no accountability, people were worried about this despotic system of government. Word of king was law of the land; nobody had courage to disobey king's order. This was the situation which Imam Ibn Taimiyyah was watching.

Different sects in Imam Ibn Taimiyyah's Era

There were many sectarian groups in Imam Ibn Taimiyyah's period; he confronted them in one way or the other. We will discuss some main sects here briefly:

Shi'i

Of all Muslim sectarian groups, Shi'i sect is most ancient, its history begins right from the period of 'Uthman but some historians are of the opinion that, the basis of this sect had been laid soon after the demise of Muhammad Rasul-Allah ﷺ. One group among the Muslims was considering 'Aliyy genuine and deserving successor of Rasul-Allah ﷺ, it is also said that one person namely 'Abd

Allah Ibn Saba was pioneer of this creed. One thing is evident from the history of this sect that by nature it was a political sect which with the passage of time adopted religious colour. Two things are important as far as their basic principles are concerned a) *imamah* is the basic pillar of Islam, moreover every Rasul is bound to appoint his successor and it is obligatory duty of Rasul b) ‘Aliyy was most competent and deserving successor of Rasul-Allah ﷺ, he was the most distinguished of the Companions.

Zaidiyah

Among the Shi‘i sect one group is Zaidiyah, their primary opinion about *khilafah* is that it should not be personal but virtual. They are the followers of Zaid Ibn ‘Aliyy Zain al ‘Abidin, according to them whosoever possess qualities of *imamah*, It is lawful to take oath of allegiance to him. They also made some qualities obligatory for *imamah*:

- a) The person should be only of Fatimi race.
- b) Piety.
- c) Knowledge and good character.
- d) Generous and Munificent.
- e) He should made claim for his *khilafah* and should invite people to his *imamah*.

Kesaniyah

This group among the Shi‘i sect believed that after the martyrdom of Husain, *imamah* was the right of Muhammad Ibn Hanafiyah, his step brother. It was their belief that Imam is infallible, moreover Muhammad Ibn Hanafiyah is alive and he had confined himself in a mountain. This group also believes in metempsychosis, that is transmigration of soul, this belief is very common among the Aryans.

Ithna ‘Ashriyah

They believe that after the martyrdom of Husain, his son ‘Aliyy Zain al ‘Abidin got the *imamah* he was succeeded by his son in *imamah* they believe in twelve *a‘imah*:

- 1. ‘Aliyy
- 2. Hasan
- 3. Husain
- 4. Zain al ‘Abidin
- 5. Muhammad Baqir
- 6. Ja‘far Sadiq

7. Musa Kazim
8. ‘Aliyy Rada
9. Muhammad Taqiyy
10. ‘Aliyy Naqiyy
11. Hasan ‘Askari
12. Muhammad [Imam Mahdi]

Muhammad [Imam Mahdi] was twelfth Imam according to Ithna ‘Ashriyah sect who are existing even today is of the opinion that Imam Muhammad is alive but he is hidden, there is a difference of opinion among them when Imam Muhammad became invisible some say he was of four (4) years age when he went into hiding and some say he was then eight (8) years of age, there are differences also about his status, some of Shi‘i people believe that he had all those qualities which are necessary for *imamah* in his childhood thus, he is a perfect Imam however some claim that he was not Imam but a scholar.

Isma‘iliyah

Imam Ibn Taimiyyah had a serious disagreement with this sect and he spent lot of time in discussions and debates with them, he used every thing, his pen, tongue and even sword to defeat this sect. Isma‘liyah group is attributed to Isma‘il Ibn Ja‘far they believe that after Imam Ja‘far Sadiq *imamah* was taken by his son Isma‘il, this group is in agreement with Ithna ‘Ashriyah as for as *imamah* of first six Imams are concerned their disagreement starts on the issue of seventh successor of *imamah* Ithna ‘Ashriyah are of the opinion that the legal heir of Ja‘far Sadiq for *imamah* was Musa Kazim not Isma‘il.

Batniyah

This sect was a heretical one Imam Ibn Taimiyyah fought with them throughout his life although this group was living with Muslims but they had strong ties with Tatars and Christians. The height of their heresy was that they captured Muslims and handed them over to enemies, it was because of their evil intentions and designs that the downfall of Baghdad took place their conspiracies with enemies paved the way for destruction of *Khilafah Islamia*. It was treachery of Shi‘i *batni* minister who invited Tatars to destroy Baghdad *Khilafah* and its ministers were assassinated; Baghdad became slaughter house during these Tatar attacks. This sect is known as Batini or Batinyah sect there are many narrations, why this sect was named Batiniyah their Imam was in hiding that is why they were called Batiniyah, another saying is that as they believe that *Shari‘ah* have two

aspects explicit and implicit and masses are following only explicit aspect of the *Shari'ah*. It is because of this myth they interpret the words and verses of the Qur'an by strange and unique elucidations. They call these strange elucidations as implicit aspect of *Shari'ah*. According to them it is only Imam who knows hidden aspect of these implicit teachings of *Shari'ah*. Mostly their practices are based on 'Taqiyah' subterfuge, they always conceal their ideas and plans, and made them public only when they feel favourable atmosphere thus it is because of their hidden agenda and practice this sect is called Batiniyah sect.

Hakmiyah

Due to their ideologies and views if we can not call them infidels at least it is established truth that their fundamental teachings are not in accordance with the teachings of the Qur'an and the Hadith. When their ideas adopt extreme posture they crossed bindings of *Shari'ah*, they claim *Halul*, slighting of Divine soul in their Imam. The founder of this sect was one Fatimi *Khalifah*, Hakim Ibn 'Amar Allah he claimed himself as transmigrated soul of Allah and ordered people to worship him.

This Hakim Ibn 'Amar Allah died in a state of hiding, according to one narration his death was not natural but he was assassinated by some of his relatives, but his followers denied his death and believe that Hakim is alive and have taken hiding, He shall come some day. It is this group which was named by Imam Ibn Taimiyyah as Hakimiyyah.

Nusairiyah

Besides Hakimiyyah group, another group, though they were not calling themselves as Isma'ilies, but they were not different from them as far as their opposition to common and unanimous teachings of Islam are concerned. Nusairiyah group was existing during the era of Imam Ibn Taimiyyah, commonly not known as Isma'ilies but their ideas and other views regarding religion were extracted from extremist teachings of Isma'ili sect.

According to this sect *ahl al Bayt* (members of Muhammad Rasul-Allah's family) possessed (*ma'rifah kamilah*) 'complete knowledge' and their belief was that 'Aliyy is either Allah or at least equal to Allah, they too were of the opinion as Batiniyah used to believe that *Shari'ah* had two aspects i.e. explicit and implicit. Imam Ibn Taimiyyah fought with them because Imam Ibn Taimiyyah was not considering them as Muslims; they did not have any inclination towards Islam.

Hashashin

This extremist group demolished the very fabric of Islamic ethics and went far away from its spiritual aspect. They inspire the enemies of Islam to oppose the established Muslim government and ignited the fire of hatred among the Muslims resultant revolt and rebellion broke out in Baghdad, riots and conflicts took place in Persia, Khurasan and Qazwain. Due to military might of Mahmud Zangi and Salah al Din Ayubi they went in hiding, during Imam Ibn Taimiyyah when Tatars were defeated they again went to hilly areas so that they can propagate their creed from these safe zones but due to rigorous efforts of Imam Ibn Taimiyyah they gave up their resistance, came out of their hilly dens and embraced Islam.²⁰

Now we will narrate some other sects with whom orthodox Muslims had differences pertaining to their belief. But they were not only famous during the period of Imam Ibn Taimiyyah but had great influence over people too. Imam Ibn Taimiyyah fought with them on the basis of reason and logic. We will give brief account of three groups about whom we have read in Imam Ibn Taimiyyah's books.

Jahimiyah or Jabriyah

Issue of compulsion and free will emerged during the early phase of Umayyah rule but very soon it progressed in such a way that it became a creed and during the last days of Umayyah rule, this creed was on its peak. There are two letters written by Ibn 'Abbas and Hasan Basari narrated in *Kitab al Minat wal Amal* which throws light on this sect, but at the same time book also makes it clear that, man earns his own deeds and is accountable for his actions before Allah thus, it is true that Allah is (*khaliq*) 'creator' of everything including the deeds and actions of human being but at the same time man possess ability of earning (*quwat-i-kasibah*).

According to one narration, Jabriyah school of thought was founded by a Jew, another narration tells us that, the first person who propagated this Jabriyah creed was Ja'd Ibn Darham, man who presented the concept of (*khalq-i-Qur'an*) 'the Qur'an is creation', which he borrowed from a Syrian Jew, this sect takes their denomination from (*jabr*), which signifies 'necessity or compulsion' because they hold man to be necessarily and inevitably constrained to act by force of Allah's eternal and immutable decree. They will not allow men to said either to let, or to have any power at all, either operative or acquiring, asserting man can do nothing, but produces all his actions by necessity, having neither power, nor will, nor choice, any more than an inanimate agent. This sect got its momentum when Jaham Ibn Safwan took its leadership that's why this sect is called Jahimiyah also.

According to him rewarding and punishing are also the effects of necessity; and the same he says of imposing of commands. It was his doctrine also that Paradise and Hell will vanish or be annihilated, after those who are destined thereto respectively shall have entered them, and at last there will exist nothing but Allah, supposing those verses of the Qur'an which declare that the inhabitants of Paradise and of Hell shall remain therein for ever, to be hyperbolical only, and intended for corroboration, and not to denote an eternal duration in reality. According to this sect Imam is only the name of cognizance, and the meaning of *kufr* (heresy) is mere ignorance and foolishness, Divine knowledge and Divine speech both are *hadis* (created) i.e. they will have to get annihilated. Allah is neither thing nor alive, according to them Allah can not be described or attributed with such (*sifat*) 'attributes' which are created. Nor one can see Allah in Paradise and that, the Qur'an is created, lot of people were influenced by these views and even some scholars used to have similar views about the deed and actions of man.

Large group of orthodox scholars refuted these views and resisted their influence, another group who had almost similar beliefs as of Jahimiyah but their approach and mode was different, historians named them Asha'riyah.²¹

In addition to this, other group of scholars was famous by the name of Mu'tazillah their views were wholly against the views of Jahimiyah sect, their main creed was of free will of man.

Mu'tazillah

This sect was founded by Wasil Ibn 'Ata, who separated from his teacher Hasan al Basri, the following are their chief tenets. a) They entirely rejected all eternal attributes of Allah, to avoid the distinctions of persons made by the Christians, saying that eternity is the proper or formal attribute of His essence; that Allah knows by this essence, and not by His Knowledge; and the same they affirm of His other attributes. Hence this sect is also named Mu'atazillah, from their divesting Allah of His attributes; for they went so far as to say, that to affirm these attributes on the same thing as to make more eternal than one, and that the unity of Allah is inconsistent with such an opinion. This was the true doctrine of Wasil, who declared that whoever asserted an eternal attribute asserted there were two Allahs. b) They believe the word of Allah to have been created in subjects, and to consist of letters and sound; copies thereof being written in books, to express or imitate the original. During the reigns of the 'Abbasi *Khulfah* al Mamun, al Mu'tasim and al Wasiq (A.H 198-228) at Baghdad this creed was in high favour, common people in general and scholars in particular were forced to adopt this creed, Imam Ahmad Ibn Hanbal led the resistance to this creed for which he was

regularly persecuted by the rulers. c) They also go farther, and affirm that whatever was created in subjects is also an accident, and liable to perish. They deny absolute predestination, holding that Allah is not author or creator or creator of evil, but of good only; and that man is free agent; which is the opinion of the Qadriyah sect, it is said that pioneer of this opinion was Ghailan Damshaqi, he used to propagate this view during the reign of ‘Umar Ibn ‘Abd al ‘Aziz ultimately he was assassinated by Hisham Ibn ‘Abd al Mulk, according to some historians it was basically religious sect called Qadriyah d) they hold that if a Muslim be guilty of a grievous sin, he is neither Muslim nor (*kafir*) ‘infidel’ he becomes (*fasiq*) ‘transgressor’ which is in-between state of *kufir* and Islam, but he will not enter into Paradise, as he has recited *kalima* he is Muslim but not Mumin. e) They deny seeing of Allah in Paradise by the corporeal eye, and reject all comparisons or similitude applied to Allah.²²

Isha‘ra

During the reign of Mutwakil Mu‘tazillah sect lost patronage of rulers which results their opponents became dominant over them all scholars who have differences with them joined hands to counter them, in the beginning of fourth 4th century A.H great personality emerged on the scene namely Abu al Hasan al Ash‘ari.

In the beginning Abu al Hasan al Ash‘ari was Mu‘atazilli and when he gave up Mu‘atazillah creed, great change occurred in his views also, he found himself close to orthodox Islamic scholars and *muhaddithun*, which can be assessed from the following views:

- a) Islamic beliefs can be derived only from the Qur’an and the Hadith.
- b) Those verses which present the resemblance (*tashbi*) explicitly pertaining to Allah should be relied upon *nass*, only e.g. According to him Allah has face not as of human beings have, he has hands too but not as human beings have.
- c) Beliefs can be proved by Ahadith also, he publicly announced all such beliefs which have been proved by *khabr-i-ahad* are reliable.²³

Ibn Taimiyyah and Tasawwuf

It seems Imam Ibn Taimiyyah’s era was full of differences and dissensions, mostly people in their beliefs and practices used to emulate their scholars, this era was important as some saints (*sufi’s*) claimed to have introduced new concepts in the mysticism, but they were not new, either they were views of ancient philosophers with different mode of expression or some philosophical teachings of

non Semitic religions. In nutshell Imam Ibn Taimiyyah confronted three major *Sufi* concepts they were:

- a) *Wahdat al wajud*.
- b) *Asqat al wasa'it* : *Sufi's* claim that whose heart is exclusively attached to Allah, he needs not to worship because obedience and disobedience is meaningless for him.
- c) Dupings of *sufi's* which had become important component of *tasawwuf* at that time.

During the period of Imam Ibn Taimiyyah all these concepts were intermingled, denial of world had become famous creed, people used to accept and practice Greek philosophy as it were Divine *Shari'ah sufi* concept of transmigration was very common among the people. Besides it, pantheism too was on its high favour, everything was included in *tasawwuf*, in 5th and 6th century A.H these concepts were emerging rapidly and they reached at their climax in 7th and 8th century A.H, this was an era of Imam Ibn Taimiyyah who fought with these groups with full might.

In addition to this, there was no harmonization among the various *sufi* sects, some were influenced by platonic mysticism and some were publicly saying that Allah can transmigrate into human body and some of them experiencing pantheism; concept of *wilayah* (sainthood) was emerging as substitute of *Nubbuwah* or more important than that.

Purity of Sufis

Sufis say that purity in our *maslak* (school of thought) is meaningless, because purity is result of impurity and impurity is psychological condition which is part of human essence, therefore how it is possible to bring a psychological condition in contrast to its essence, to purity from very essence is its absolute denial, when very essence is not there who will worship and to whom. As there is nothing but Allah, It is proof of our argument that, our concept of *tahara* (purification) is unthinkable, thus in our worship our ears and eyes should become *haqq*, further everything, and every action should become *haqq*.²⁴

Some famous and emphatic concepts in Sufism

In the world of *sufism*, due to these different concepts everyone made his own group on the basis of his principles. The first school of thought who appeared in this era was of platonic mystics. However, some of them believed in transmigration and pantheism, some of them confined themselves to the above mentioned limits.

Second group was propagating *halul* exclusively, their primary view was that, essence of Allah is transmigrating into human body, the pioneer of this creed was Mansur Hallaj, and following couplets can clarify their creed unambiguously:

سبحان من اظهرنا سوته سر سنا لاهوته الثاقب
ثم بدأ في خلقه ظاهراً في صورته الاكل والشارب
حتى لقد عاينه خلقه كلعظمته الحاجب بالحاجب

“Glorified is He exposed to *nasut* [physical universe] his bondman *lahut*, and then came into the shape of those who eats and drinks. Even His creatures saw Him publicly.”

Third famous school of *sufism* was of *wahdat al wajud*, whose basic creed is that, there is nothing but Allah; more than one figures which we see are not the figures of various existences but the manifestations of only one existence.

Although Ibn ‘Arabi was not pioneer of this creed as common people believe, ancient Hindu religious books particularly Vedas are full of pantheistic teachings, but Ibn ‘Arabi gave it new soul and body and presented it in a Islamic cloak, according to Ibn ‘Arabi everything in this universe is manifestation of Allah, nothing exists sans Allah, here are some verses about this creed:

يا خالق الاشياء في نفسه انت لما تخلقته جامع
تخلق عا ينتهي كونه فيك فانت الضيق الواسع

“O! He who is the creator of everything in Him, You are the centre of Your creation, Your creations disappears by mingling with You, You are small possess the capacity of being vast.”²⁴

In the period of Imam Ibn Taimiyyah the *sufis* had got full prestige and respect, governors of Egypt had constructed shrines for these *sufis*, estates were granted to them rulers fixed scholarships to them, to their requirements and other needs, expenses of their kitchen where hundreds of people used to take their meals too were borne by the rulers. Imam Ibn Taimiyyah was not against the concept of *tasawwuf* and *tazkiyah*, derived from the Qur’an and the Sunnah, he was resisting and refuting un-Islamic influences crept into these concepts. The virtuous Imam Ibn Taimiyyah was himself a *wali kamil* great *sufi*, he had allegiance with *Qadiriyyah sufi* order, he had used words like al Shaikh al kamil, *Sayyidi* for great *wali* of Islamic history Shaikh ‘Abd al Qadir al Jilani, he himself had written about (*tazkiyah nafs*) ‘purification of heart’ in his books.

The polytheistic beliefs and customs in Imam Ibn Taimiyyah's Era

The intimacy of non-Muslims and non-Arabs and influence of Isma'ili and Batni sects in addition to this, due to preaching of some misguided *sufis*, in Imam Ibn Taimiyyah's era people used to have polytheistic thoughts and beliefs. Regarding their religious leaders people were having exaggerated and polytheistic attitudes. They used to have same thinking and expectations from their scholars and saints as Jews and Christians used to have about 'Uzair and 'Issa. Whatever was happening at graveyards was clear proof of this situation. Invocations at graveyards particularly at the graves of saints was very common, mosques and shrines were constructed on these graves, people used to organize yearly festivals at these shrines. People used to visit these shrines, offer their donations and alms there, prostrate towards graves, sacrifice their animals; in short polytheism with various manifestations was common in the era of Imam Ibn Taimiyyah. We will narrate below some extracts from Imam Ibn Taimiyyah's books which throws light on these conditions.

A lot of people have given dead person the status of Allah and have given attendants of these shrines or graves status of Rasul-Allah, they seek help from these dead saints for their day to day matters, and they consider them, as they can remove their difficulties. They consider their saints as lawgivers, what they prescribe lawful is lawful for them and what they prescribe unlawful becomes unlawful for them, practically they have discharged Allah from his Divinity and Muhammad Rasul-Allah from his *Nubbuwah*, mostly what is happening on these shrines and tombs is that, whenever any neo-Muslim a follower of saint visits there they seek help from dead saints to get rid of suppression of rulers or for any other need, attendant of tombs or shrines used to go inside and after sometime comes out and assures this help seeker well! I have told your problem to saint, he had conveyed it to Muhammad Rasul-Allah and he had conveyed it to Allah and Allah had sent his Rasul-Allah to ruler: that he should not oppress so and so person. Is not this religion of polytheists and Christians? Even Christians and polytheists can not tolerate this stupidity hence can not be deceived by this nonsense. The way, in which these attendants are minting money and accepting offerings, it is practical manifestation of this Quranic verse.²⁶

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِنَّ كَثِيرًا مِّنَ الْأَحْبَارِ وَالرُّهْبَانِ لَيَأْكُلُونَ أَمْوَالَ
النَّاسِ بِالسَّبِيلِ وَيَصُدُّونَ عَنِ سَبِيلِ اللَّهِ وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ
وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبِئْسَ لَهُم بِعَذَابٍ أَلِيمٌ ﴿٧٤﴾

O you who believe! There are indeed many among the priests and anchorites, who in falsehood devour the substance of men and hinder (them) from the Way of Allah. And there are those who bury gold and silver and spend it not in the Way of Allah: announce unto them a most grievous penalty. (al Taubah 9:34)

Tomb worship

Among these ignorant persons, some used to offer *salah* in direction of the tomb, they request dead saints to forgive their sins and have blessings on them. Some people used to offer *salah* while facing the tomb and keeping their back towards the Ka'ba, they claim that tomb is *qibla* for particular persons while Ka'ba is *qibla* for general masses. This is practice of that person who are prominent among them and are famous for their worship, they are known for their piety and simplicity, when any disciple wants to repent before them they prescribe him to spend forty (40) days at Shaikh's grave just as polytheists used to sit before their idols. Among these tomb worshippers some used to have tenderness and humility while sitting before the grave they feel tranquility of heart while worshipping the tombs, which they never feel in the mosques.²⁷

Fearlessness to Allah and fear of buried saints

Their belief and involvement with these graves are so deep that, normally they openly commit sins everywhere, when they see dome or spire of the shrine they used to say to each other, beware! Do you not look at this dome! They have fear of these buried saints but they do not have any respect and regard for Allah who is the creator of heavens and earth, by whose order moon decreases and increases. Whosoever debates with them they terrify their opponents with grandeur and power of those respected saints just as polytheists terrified Ibrahim, Allah Almighty says.²⁸

وَكَيْفَ أَخَافُ مَا أَشْرَكْتُمْ وَلَا تَخَافُونَ أَنَّكُمْ أَشْرَكْتُم بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ عَلَيْكُمْ سُلْطَانًا فَأَيُّ الْفَرِيقَيْنِ أَحَقُّ بِالْأَمْنِ إِنْ كُنْتُمْ تَعْلَمُونَ ﴿٨١﴾ الَّذِينَ آمَنُوا وَلَمْ يَلْبِسُوا إِيمَانَهُمْ بِظُلْمٍ أُولَٰئِكَ لَهُمُ الْأَمْنُ وَهُمْ مُهْتَدُونَ ﴿٨٢﴾ وَتِلْكَ حُجَّتُنَا آتَيْنَاهَا إِبْرَاهِيمَ عَلَىٰ قَوْمِهِ نَرْفَعُ دَرَجَاتٍ مَّن نَّشَاءُ إِنَّ رَبَّكَ حَكِيمٌ عَلِيمٌ ﴿٨٣﴾

How should I fear [the beings] you associate with Allah, when you fear not to give partners to Allah without any warrant having been given to you? Which of [us] two parties has more right to security? [Tell me] if you know. It is those who believe and confuse not their beliefs with wrong, that are [truly] in security, for they are on right] guidance. That was the reasoning about Us, which We gave to Ibrahim [to use] against his people: We raise whom We will, degree after degree: for your Rabb is full of wisdom and knowledge.

(al An'am 6:81-83)

Vilification to Allah's signs

These tomb worshippers used to jest with the unity of Allah and the worship of Allah alone, they consider their saints as their intercessors, they respect and obey them without trying to know whether their orders and commands are permissible or unlawful in Islamic *Shari'ah*. Some of them even contempt Ka'ba and pilgrims, their belief is that the privilege of seeing ones Shaikh is supreme than *hajj* to Ka'ba. Some of them did not care for *salah* and had no respect for mosques, their belief is that the blessings of Shaikh are supreme it is evident by their song:

تعالوا نخرب الجامع ونجعل فيه خماره
ونكسر المنبر ونجعل منه طنباره
ونخرق المصحف ونجعل منه زماره
وننتصف لحيته القاضي ونجعل منه اوتاره

Come let's desert the mosque and establish the wine shop in it and after breaking down the pulpit to make musical instrument of it we shall tear the Qur'an into pieces to make the flute with it and pull out the beard of judge to make chord of guitar form it.²⁹

Divinity of nobles

Many ignorant and polytheists have this belief that world is running by *Anbiya'* and saints, they are creators of many things including food, they solve problems of mankind, at least it can not be a belief of true Muslim. Christians too have similar beliefs only about 'Isa because they believe in transmigration. They do not have such beliefs even with Ibrahim and Musa, although they are ignorant people.³⁰

Lot of people believe that the shrine of any noble person which is situated in any town or city, it is due to its blessings people of this town or city are getting livelihood, these tombs always save them from enemies thus, cities remained safe because of these tombs and shrines. The person with whom they have the faith, it is said regarding him that so and so is the protector of such and such place, like Sayyida Nafisah is protector of Egypt and Cairo, so and so person is the protector of Damascus etc so and so is guardian of Baghdad it is their firm faith that, it is because of the blessings of these noble persons cities and towns remained safe from calamities.

Situation of these people is that, when enemies were marching towards Damascus instead of resistance to enemies, these tomb worshippers proceeded to different tombs and graveyards to seek help from buried nobles, and they were optimistic that, these buried nobles will come to their rescue.

يا خالفين من التتر لو ذوالقبر ابي عمر
عوذ والقبر ابي عمر ينجيكم من الضرر

“O! Who are afraid of Tatar come under the protection of Abi 'Umar, seek the protection from Abi'Umar's grave he will save you from calamity.”³¹

It is obvious from the above mentioned excerpts that in the 7th and 8th century A.H in spite of powerful Islamic empires, jurists and *muhaddithun* and number of Islamic centers, people were involved in heretical ideologies and un-Islamic practices. It was general situation, even some scholars too were uncertain and confused about these ideologies and practices, and it is evident from their books that their minds too were not cleared about these things, as one must have after studying the Qur'an and Hadith. Imam Ibn Taimiyyah's contemporary scholars Shaikh 'Aliyy Ibn Yaqub al Bakri and al Akhnai's books are witness to this confusion and ambiguity. Imam Ibn Taimiyyah wrote two books against their ideologies from which we quoted some excerpts above.

Importance of Sunnah in Imam Ibn Taimiyyah's Era

There was no problem for the *Sahabah* to solve their day to day matters whether mundane or religious during the life time of Muhammad Rasul-Allah ﷺ. People used to come to Rasul-Allah and inquire about their problems and Rasul-Allah ﷺ used to answer them either on the basis of *wahy jalli* (the Qur'an) or *wahy khafi* (the Ahadith) these *Fatawa* of Rasul-Allah ﷺ are available in Ahadith books, Hafiz Ibn al Qayyim has narrated more than thousand (1000) such *Fatawa* in his *I'lam al Muwaqqi'in*. After the demise of Muhammad Rasul-Allah ﷺ, the noble Companions used to reconcile their problems through the Book of Allah and Sunnah of Rasul-Allah ﷺ, and when they did not find any thing from these primary sources then they used to consult well learned Companions among them, like Abu Bakr, 'Umar, 'Aliyy, Zaid Ibn Thabit, Mu'adh Ibn Jabal, 'Abd Allah Ibn 'Abbas, 'Abd Allah Ibn Mas'ud etc they too derive their conclusions from the Qur'an and the Sunnah, Companions used to solve their collective matters by consultation. From here two secondary sources of *Shari'ah* emerge i.e., *ijma'* and *qiyas*.

After Muhammad Rasul-Allah ﷺ, 'Umar and his successors had appointed judges and *mufti's* for different provinces so that they can teach the Qur'an and the Sunnah to people, and settle their day to day affairs according to *Shari'ah*. Companions used to convey the fellow Muslims what they had learned from Rasul-Allah ﷺ, they used to give references from the actions and sayings of Muhammad Rasul-Allah ﷺ, different Companions had specialization in different branches of Islamic knowledge, Zaid Ibn Thabit was expert on laws of inheritance, Mu'adh Ibn Jabal had an authority over jurisprudence, Ubai Ibn Ka'b was expert of Qur'an recitation etc. 'Umar Ibn Khatab while addressing people in Jabia once said that, any one want to inquire about the laws of inheritance should consult Zaid Ibn Thabit and one who wants to know anything about Islamic law let him consult Mu'adh Ibn Jabal, and whosoever needs any financial help should come to me.³²

The result of this was that, any person who had specialization of any branch of knowledge, questions were asked to him regarding that particular branch of knowledge. Among the Companions who had given the *fatawa* their number are little more than 130. Hafiz Ibn al Qayyim has collected their names in his famous book *I'lam al Muwaqqi'in*. Among all these Companions, who gave *fatawa* in abundance are seven, 'Umar, 'Aliyy, 'Abd Allah Ibn Mas'ud, 'A'isha, Zaid Ibn Thabit, 'Abd Allah Ibn 'Abbas and 'Abd Allah Ibn 'Umar. Then among these seven Companions four Companions spread teachings of Islam in different provinces they were Zaid Ibn Thabit and 'Abd Allah Ibn 'Umar who made

Madinah centre of learning during the period of *khulfa'i Rashidin*, 'Abd Allah Ibn 'Abbas made his seat in Makkah thus, people used to learn the Qur'an and the Sunnah from him, 'Abd Allah Ibn Mas'ud made 'Iraq as his home thus people there learned Islamic teachings from him.³³

The period of *Tab'in*

During the period of *tab'in* in Madinah, Makkah, Basra, Kufah Syria, Egypt, Yamama, Yemen, Khurasan etc everywhere a good number of scholars and jurists were present. Well known among them are Sa'id Ibn al Musaib, 'Arwah Ibn Zubair, Qasim Ibn Muhammad, Kharjah Ibn Zaid, Sulaiman Ibn Yasar, 'Ubaid Allah Ibn 'Abd Allah, 'Utbah Ibn Mas'ud, Aban Ibn 'Uthman, Salim, Nafi', 'Atta Ibn Ribah, Ta'us Ibn Kaisan, Mujahid Ibn Jubair, 'Amr Ibn Dinar, 'Abd al Mulk Ibn 'Abd al 'Aziz, Ibn Juraij, Sufyan Ibn 'Uyyanah, Hasan al Basri, Muhammad Ibn Sarin, Muslim Ibn Yasar, Abu Bardah Ibn Abi Musa, 'Ilqamah Ibn Qais al Nakhi, 'Amr Ibn Shurjail Ibrahim al Nakhi, Sa'id Ibn Jubair Abu Idris al Khoutani Qabisa Ibn Dhuwaib al Khazrami, Makhul al Shami, Yazid Ibn Abi Habib, Laith Ibn Sa'd etc. When common people asked them about any problem, they used to give answer in accordance with the Book of Allah, Sunnah of Rasul-Allah ﷺ and the traditions of the Companions. They always keep in mind the decisions of the noble Companions. If any difference occurs among them they used to give preference to any one saying on the basis of the Qur'an and the Sunnah.

Compilation of Ahadith and *fiqh*

It is after the demise of Muhammad Rasul-Allah ﷺ that systematic arrangement for the collection and compilation of Ahadith started. Any one who knew any Hadith used to write it down; besides these Ahadith they also compiled sayings of Companions. It is said that, verdicts of Hasan al Basri and Shahab Zuhri were compiled in large volumes thus; people got these compiled works as legacy from one another. By this procedure big treasure of Ahadith, traditions and verdicts of noble Companions and their successors was accumulated in the hearts and books. These compiled works then became primary source for future Hadith and *fiqh* books.

Four *A'imah*

Many scholars in various branches of Islamic knowledge got reputation and fame, but the reputation which four persons got was unique and unchallenged they were: Imam Nu'man Ibn Thabit Abu Hanifah (d.150 A.H), Imam Malik Ibn Ans (d.179 A.H), Imam Muhammad Ibn Idris al Shafi'i (d. 204 A.H.) and Imam

Ahmad Ibn Hanbal (d. 241 A.H), Imam Abu Hanifah got two great disciples, Imam Abu Yusuf (d.183 A.H) and Imam Muhammad Ibn al Hasan al Shaibani (d.189 A.H) who compiled his *fiqh* and added to it their own contribution, Imam Abu Yusuf was appointed as chief justice in ‘Abbasi ruler Harun al Rashid’s reign. His companion Imam Muhammad wrote many books after that he went to Madinah where he read Ahadith from Imam Malik; he wrote a book on art of Hadith there, in which he presented Imam Abu Hanifah’s opinions with the views of Imam Malik regarding various religious issues. Due to Imam Abu Yusuf and Imam Muhammad, Imam Abu Hanifah’s school of thought got popularity in Iraq and Khurasan. Imam Malik wrote his *Muwatta* and taught it to various disciples who propagated his school of thought in western Africa. Disciples of Imam Shafi’i propagated his school of thought in Syria, Egypt and other states, Imam Ahmad Ibn Hanbal while staying in Baghdad resisted mischief’s of Mu‘tazillah creed and suffered a lot due to this resistance, *Ahadith Nabwi* had so much influence over him that he never gave preference to any opinion or presumption against it, he himself used to say:

دين النبي محمد آثار	نعم المطيته للفتى الاخبار
لا تغد عن عن الحديث واعله	فالراى ليل والحديث نهار
ولربما جهل الفتى طرق الهدى	والشمس طالعه لبا انوار
Your traditions are best source of knowledge for young men. Opinion is like a night and Hadith is a day. Although the rays of sun keep shining. ³⁴	Nabiyy’s religion is his relics. You would not be deceived by Ahadith and <i>muhaddithun</i> . Some times a person gets distracted from the guidance.

Differences in juristic issues

Natural differences between the human natures is the primary reason of the differences among the jurists regarding various juristic issues, but these differences did not occur due to prejudice or blind emulation rather every jurist thought that, in so and so issue his opinion is based on the Qur’an, the Sunnah and traditions of the Companions, that’s why every one among them prohibited their disciples from blind emulation. Imam Abu Hanifah used to say ‘well this is my opinion whosoever brings better opinion than mine we will accept it, it was because of this approach Imam Abu Yusuf dared to differ with his teacher on various religious issues, he used to say that, it is not permissible for anybody to follow us until he knows the origin from where we have derived our opinion. During *haji* Imam Abu Yusuf met Imam Malik and inquired about the *Sa’* (exact

quantity of it) and *zakah* on vegetables, Imam Malik told him about the practice of people in Madinah regarding the exact quantity of *Sa'*, Imam Abu Yusuf accepted the definition of *Sa'* presented by Imam Malik and said O Abu 'Abd Allah! If my companion (Imam Abu Hanifah) would have seen, what I have seen here he too would have accepted the quantity of *Sa'* as you have mentioned. Imam Malik used to say that I am also a human being, my saying can be correct but can be wrong also thus, present my saying before the Qur'an and the Sunnah if it is correct adopt it and if you find it against the Qur'an and the Sunnah leave it. Saying of Imam Shafi'i about blind emulation is that some one who seeks knowledge without any proof (from the Qur'an and the Sunnah) is like a person who has lifted bundle of timber on his head during the night and does not know that there is a snake in the bundle who is biting him he has also said that when you find *sahih* Hadith, throw away my saying on the wall. Imam Ahmad Ibn Hanbal once said to his disciple does not follow me or Imam Malik, Thauri or Awzai' blindly, obtain your knowledge from the same sources from where they got their knowledge. It can be estimated from above mentioned examples that every Imam and jurist has drawn the attention of their disciples and followers towards the Qur'an and the Sunnah.³⁵

Beginning and development of *Taqlid*

It was after the period of four *a'imah* that compilation of their views and opinions took place and people started writing exegesis over their opinions, thus debates and discussion over their opinions became culture of religious institutions which ultimately paved way for sectarianism and emulation of particular Imam and group of scholars among the general public. Every scholar got influenced by the environment he live in and by the scholars or institutions from where he studied, Imam Muhammad has repeatedly used words like (رويه قال ابوحنيفة وعامة فتياننا) in his books, some scholars used to say (عندنا وعند الشرافع) thus in the last phase of 3rd century A.H sectarian grouping was already their, but people were not using titles like Maliki, Hanfi, Shafi'i and Hanbali with their names, it was in 4th century A.H that emulation of particular Imam or school of thought (*taqlid shaksi*) took place, scholars start writing books and commentaries for their particular schools, primary objective of this whole exercise of scholars from every school of thought was to give an impression that their school of thought is based on the Qur'an and the Sunnah thus, is more relevant than other schools of thought, once this trend starts, prejudice and rivalry among the scholars and chaos and confusion among the masses became unavoidable, even today in this scientific and computer age where *ummah* is at its lowest ebb leaders, religious institutions and countries who are patronizing different schools of thought are wasting millions on this sectarian

rivalry, this sectarianism has damaged the unity of *ummah* beyond repairing. In 5th and 6th century A.H scholars used to attribute themselves to specific sectarian schools and start writing Hanfi, Maliki, Shafi'i and Hanbali with their names, then started another trend where people used to write about scholars according to their sectarian affiliations and very soon followers of these four schools of thought construct their separate religious schools and mosques, as this trend continues even today with more prejudice, this research scholar dares to say that it requires complete research thesis to define and discuss the disastrous impact of this sectarian division on Muslim *ummah*, and it is not Islam but sectarian interpretation of Islam which most of these religious institutions are propagating. In Egypt, in the year 663 A.H rulers were found to appoint judges from all schools of thought, they were bound to give decisions according to their schools of thought, naturally they rely more on their *fiqhi* books and rarely consult the Qur'an and Ahadith.

Condition of scholars and jurists during the period of Imam Ibn Taimiyyah

In the era of Imam Ibn Taimiyyah scholars use to derive their opinions from the books of jurisprudence, this trend continues even to this day, scholars did not derive their decrees directly from the Qur'an, the Sunnah and traditions of Companions, they consider it odd to quote the Quranic verses or Ahadith to settle any issue. Ibn al Qayyim writes:

عاب بعض الناس إذا استدال في الفتوى وهذا العيب أولى بالعيب بل
جمال الفتوى وروحها هو الدليل فكيف يكون ذكر كلام الله ورسوله ﷺ
واجماع المسلمين و اقوال الصحابه رضوان الله عليهم والقياس
الصحيح عيباً و هل ذكر قول الله ورسوله لا طراً للفتوى.

Some people thought it to be defective to argue on the verdicts, well this defect is in itself improper, the soul of the verdict is to mention proof of the verdict, how it can be defective to mention Book of Allah or saying of His Rasul ﷺ, consensus or proper analogy to give proof from the Qur'an and the Sunnah is to beautify the verdict.³⁶

Whenever Companions were asked about any matter, they immediately used to narrate the Quranic verses and Ahadith in original and say Allah says: (قال الله) or Rasul-Allah says: (قال الرسول الله) it is because of this strict obedience to the Qur'an and the Ahadith they remained united and saved themselves from the disturbances and confusion, but with the passage of time this golden principle was forgotten, and scholars confined themselves to particular school of thought and consider it below their dignity to derive conclusion directly from the Qur'an and

the Ahadith. Worst phase of this trend was that, some scholars even dared to say that the Qur'an and the Ahadith can not solve new emerging problems thus, it is *fiqh* which can satisfy everybody; according to them only Hashwiyah, and Tajsimiyah (misguided sects) are arguing by the Book of Allah and Sunnah of Rasul-Allah ﷺ, they rely solely on the books of their scholars and rarely quote the Qur'an and the Ahadith.

When Imam Ibn Taimiyyah emerged in Syria with the message of peace and piety, there was chaos and confusion all over. Situation which we have discussed above in detail; here we will put this whole situation in few lines.

- a) Politically the Islamic *khilafah* was scattered and did not exist anywhere. Political unity and stability might and grandeur of Muslims had become fiction. Enemies were no more afraid of them, their mutual conflicts was order of the day, central authority was finished, *ummah* was in divisive phase, non Muslim nations were marching towards Muslim states.
- b) The whole earth had become bloody due to Christian imperialism and Tatar cruelties, murder and destruction was common phenomenon, due to imprudent rulers who were coward and incompetent, there was no security or peace for oppressed Muslims, enemies were massacring them, looting their properties, dishonouring their women but they used to watch every thing like hapless spectators.
- c) Sectarianism had divided *ummah* in more than seventy (70) sects, there was rivalry among these sects, they use to kill each other, destroy properties of each other, it is a historical fact that, it was mutual rivalry and conflict which invited Tatars to Baghdad, prejudice among the scholars was dividing their followers into various groups and they were always at war with each other.
- d) Saint worship, grave worship, custom worship and blind following to scholars was common, in short people were worshipping everything other than Allah, sincerity and piety was nowhere, self-centeredness and materialism was common instead of the Qur'an and the Sunnah, fabricated Ahadith were common among the masses, so-called mystics were misleading people, people had become addicts of innovations.
- e) Blind emulation was common, thus there was complete stagnation in the society, mean mentality, short sightedness and vested interests of scholars and confusion among the masses had destroyed peace and harmony in the society.

In this era of chaos, confusion and pessimism emerges the selfless personality of Imam Ibn Taimiyyah, who with his sincerity, piety, simplicity, strength, forwardness, reformist zeal and encyclopaedic knowledge laid the foundation of hope, dynamism and reformist movement. We haven't seen any field of this era where he did not fought, he fought with Tatars, he destroyed centers of polytheism and wine shops and resisted influence of Greek philosophy, misguided *sufis* and heretical sects, he did his best to reform the society, he touched every branch of Islamic knowledge, he wrote books on government functioning and relations of rulers with their subjects, and wrote comprehensively on economic issues and gave legal verdicts in thousands, he was persecuted, imprisoned for his views on various issues on many occasions but he did not yield to this pressure and remained firm on his mission like a mountain. Imam Ibn Taimiyyah was a great *mujjadid* and *mujtahid* with the Qur'an and the Sunnah in the one hand and sword in the other.

Before we discuss Imam Taimiyyah's views about the primary sources of *Shari'ah* here is brief account of two kinds of sources:

- a) *Mutafaqun 'aliah* : agreed upon.
- b) *Mukhtalif fih* : disagreed.

Mutafaqun 'aliah are the sources of Islamic *Shari'ah* on which there is a consensus among the scholars.

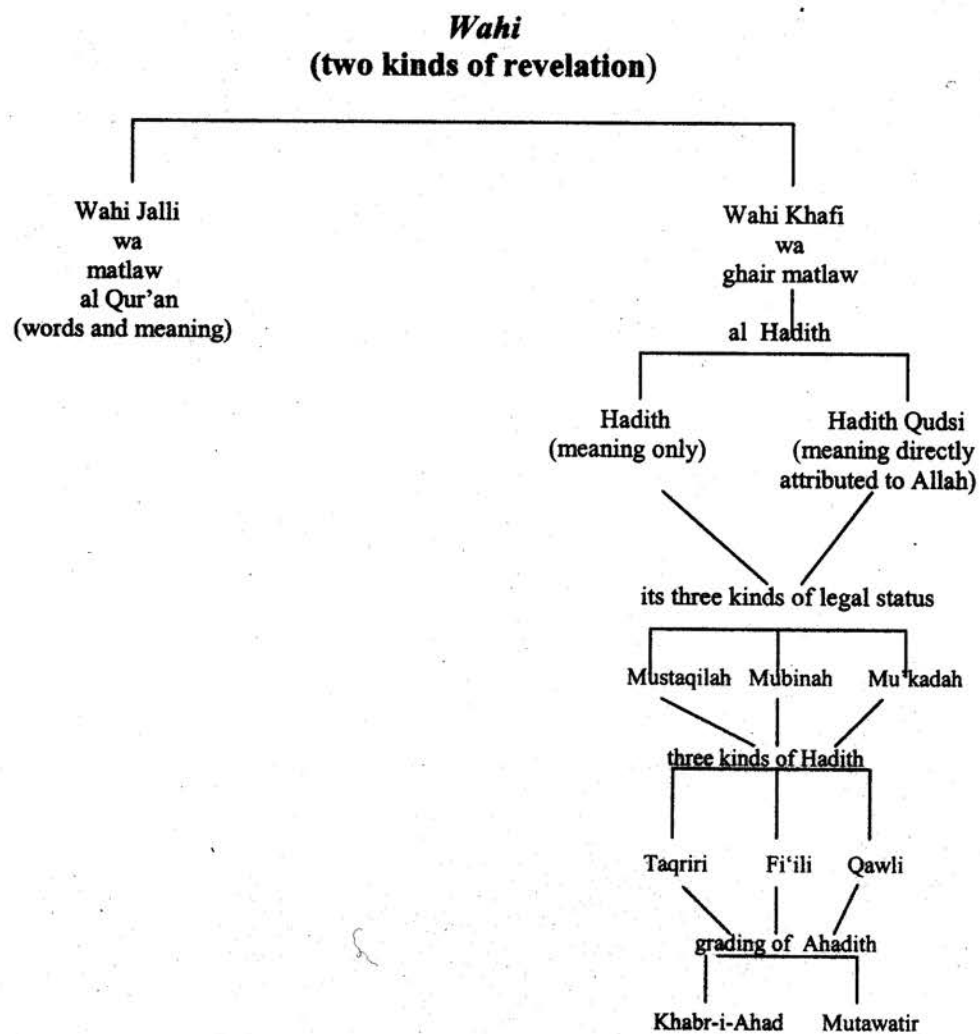
Mukhtalif fih are the sources of Islamic *Shari'ah* about which there are differences among the pioneers of four schools of thought in particular and among other jurists in general.

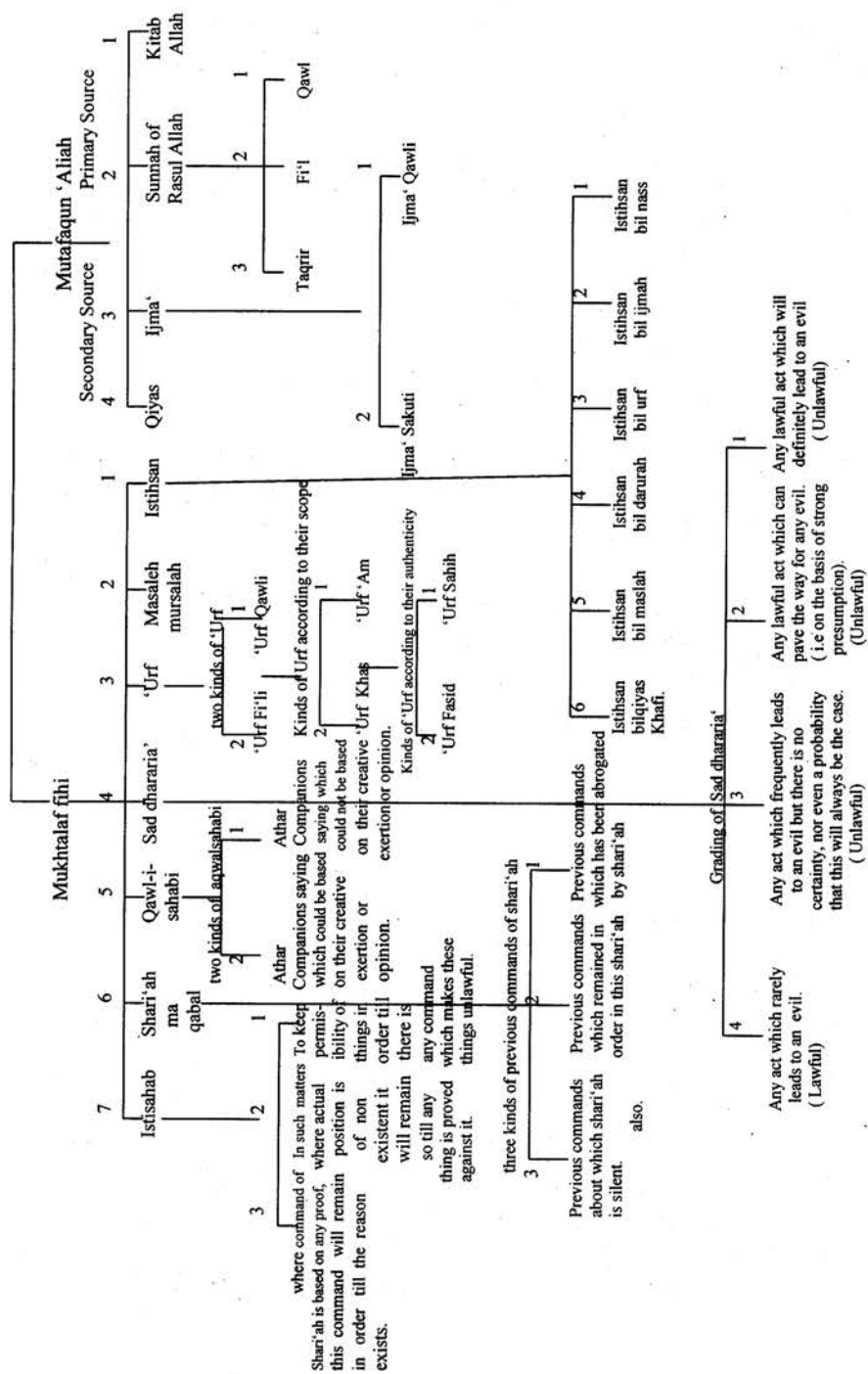
***Mutafaqun 'aliah* sources:** الأدلة الإربعة الأساسية

- i) Primary sources
 - a) *Kitab Allah* (Book of Allah).
 - b) *Sunnah of Rasul-Allah* (sayings, actions and approvals of Rasul-Allah).
- ii) Secondary sources
 - a) *Ijma'* (Consensus).
 - b) *Qiyas* (Analogy).

***Mukhtalif fih* sources:**

- a) *Istihsan* : juristic preferences.
- b) *Maslih Mursalah* : considerations of public interest.
- c) *'Urf* : custom.
- d) *Sadd al Dharai'* : blocking the means.
- e) *Qawli Sahaba* : sayings of Companions.
- f) *Sharai' ma Qabl* : previous revealed laws.
- g) *Istisahab* : presumption of continuity.



Sources of *Shari'ah*

Two primary sources

Kitab Allah (wahy matlu)

The word of Allah : this Book in Arabic language, which has been revealed by Allah to Muhammad Rasul-Allah ﷺ, both the words as well as its meaning were revealed by Allah, and reached to us in (*tawatur*) ‘continuity’. It begins from *surah al Fatihah* and ends with *surah al Nas*. It consist 114 *sur* (chapters). Classification of its chapters and verses is also based on revelation (*tawqifi*). The whole book was put into writing by the Companions of Rasul-Allah ﷺ on his orders and under his supervision. Its various names are *al Qur’an*, *al Furqan*, *al Kitab*, *al Dhikir*, *al Tanzil*.

The Qur’an according to Imam Abu Hanifah:

The Qur’an is eternal in its original essence. The Qur’an is word of Allah, and is His inspired word and revelation. It is a necessary attribute (*sifah*) of Allah. It is not Allah, but still it is inseparable from Allah. It is written in a volume, it is read in a language, it is remembered in the heart, and its letters and its vowel points, and its writing are all created, for these are the works of man, but Allah’s word is uncreated (*ghair makhluq*). Its words, its writing, its letters and its verses are for the necessities of man, for its meaning is arrived at by their use, but the word of Allah is fixed in the essence (*dhat*) of Allah, and he who says that the word of Allah is created is an infidel.³⁷

Sunnah of Rasul-Allah (wahy ghair matlu)

The Quranic verses are witness to it that, Muhammad Rasul-Allah ﷺ, in addition to the revelation contained in the Qur’an, received the *wahy ghair matlu*, it consists what he did (*hadith fi ‘li*), what he enjoined (*hadith qawli*) and what was done in his presence and he did not forbid it (*hadith taqriri*), plus all the reports which describes his physical attributes and character. The ‘*ulama* have used Sunnah and Hadith almost interchangeably, although two terms have meaning of their own which we have discussed in detail in first chapter.

Ijma‘

Literal meaning : *ijma‘* is the verbal noun of the Arabic word *ajma‘a* which has two meanings, to determine and to agree upon something.

According to jurists *ijma'* means the unanimous consent of the Islamic scholars; technically speaking, it is unanimity of *mujtahidun* on any religious issue which occurs after the demise of Muhammad Rasul-Allah ﷺ. *Ijma'* does not mean consensus of common people nor it includes consensus of Muslims on any mundane issue.

There are three kinds of *Ijma'*

- a) *Ijma' Qawli* : unanimous consent expressed verbally.
- b) *Ijma' Fi'li* : unanimity expressed through practice.
- c) *Ijma' Sakuti* : *mujtahidun's* tacit assent to the opinions of other *mujtahid* or *mujtahidun*.

Ijma' is always based on religious proof which is called *sanad ijma'* (proofs of consensus). There are four proofs of *ijma'*.

- a) *Kitab Allah* b) *Sunnah of Rasul-Allah* c) *Qiyas* d) *Maslah*.³⁸

Qiyas

Literal meaning : *qiyas* means measuring or ascertaining the length, weight, or quality of something, that is why the scales are called *miqyas*.³⁹

Technically, *qiyas* (the analogical reasoning) is the extension of a *Shari'ah* value from the original case, (*asal*) to a new case (*fara'*), because the latter has the same effective cause as the former.

There are four fundamental requirements of *qiyas*

- a) *Asl* b) *Far'* c) '*Illah* d) *Hukm*
- a) *Asl* : the original case, on which a ruling is given in the text and analogy seeks to extend it to a new case, it is also called (*miqis 'aliah*).
- b) *Far'* : the new case on which a ruling is required, also called (*miqis*).
- c) '*Illah* : the effective cause which is an attribute of the *asl* and it is found to be in common between the original and the new case.
- d) *Hukm* : the rule governing the original case which is to be extended to the new case.

There are four conditions of *qiyas*

- a) That the precept or practice upon which it is founded must be of common ('*am*) and not special (*khas*) application.

- b) The cause (*'illah*) of the injunctions must be known and understood.
- c) The decision must be based upon either on the Qur'an, the Hadith, or the *ijma'*.
- d) The decision arrived at must not be contrary to anything declared elsewhere in the Qur'an and the Hadith.

***Qiyas* is of two kinds**

- a) *Qiyas jalli* (evident).
- b) *Qiyas khafi* (hidden).

An example of *Qiyas Jalli*

Wine is forbidden in the Qur'an under the word *khumr*, which literally means anything intoxicating; it is, therefore evident that opium and all intoxicates are also forbidden.

An example of *Qiyas Khafi*

In the Hadith it is enjoined that one goat in forty must be given as *zakah*. To some poor persons the money may be more acceptable; therefore the value of the goat may be given instead of the goat.

Mukhtalif fihi :sources of *Shari'ah* on which there exists differences among the jurists.

a) ***Istihsan***

Literal meaning :to approve or to deem some thing preferable. It is a derivation of *hasuna* which means being good or beautiful. Six kinds of *istihsan* are:

- a) *Istihsan bil nas* : preference due to the Qur'an and the Sunnah.
- b) *Istihsan bil ijma'* : preference due to consensus.
- c) *Istihsan bil 'urf* :preference due to custom.
- d) *Istihsan bil darurah* : preference due to necessity.
- e) *Istihsan bil Maslah* : preference due to expediency.
- f) *Istihsan bil qiyas khafi* : preference due to hidden analogy.⁴⁰

Istihsan :technically means to approve or to deem something preferable, *istihsan* is a method of exercising personal opinion in order to avoid rigidity and unfairness that might result from the literal enforcement of the existing law.

The Hanbali definition of *istihsan* also seeks to relate *istihsan* closely to the Qur'an and the Sunnah. According to Imam Ibn Taimiyyah, *istihsan* is the abandonment of one legal norm for another which is considered better on the basis of the Qur'an, the Sunnah, or consensus.

b) *Masalih Mursalah*

Literal meaning : *masalih* means benefit or interest; when it is qualified as *masalih mursalah*, it refers to unrestricted public interest in the sense of not having been regulated by the law giver and no textual authority can be found on its validity or otherwise.

Masalih mursalah technically, means a consideration which is proper and harmonious to the objectives of the lawgiver, it secures a benefit or prevents a harm; and the *Shari'ah* provides no indication as to its validity or otherwise. The *'ulama* are in agreement that *masalih* is not a proof in respect of devotional matters i.e., *'Ibadat*, *hadud* and *al fara'id* etc.

There are three kinds of *Masalih Mursalah*

- 1) *Daruriyyat* :the essentials.
- 2) *Hajiyyat* :the complementary.
- 3) *Tahsiniyat* :the embellishments.

There are three conditions for *Masalih Mursalah*

1. The *masalih* must be genuine (*haqiqiyyah*), as opposed to a plausible (*masalih wahmiyyah*), which is not proper ground for legislation.
2. The *masalih* must be general (*'am*) in that it secures benefit, or prevents harm, to the people as a whole and not to a particular person or group of persons.
3. The *masalih* is not in conflict with a principle or value which is upheld by the Qur'an, the Sunnah or *ijma'*.⁴¹

c) *'Urf*

Literal meaning :as a noun from its Arabic root *'arafa* (to know), *'urf* literally means that which is known in its primary sense, it is known as opposed to the unknown, the familiar and customary as opposed to the unfamiliar and strange. *'Urf* technically means recurring practices which are acceptable to the people of sound nature. If it does not contravene the principles of *Shari'ah* is valid and authoritative: it must be observed and upheld by the court of law.

There are two types of *'Urf*

- i) *Qawli 'urf* (verbal custom) ii) *Fi'li 'urf* (practical custom)
- i) *Qawli 'urf* :consists general agreement of the people on the usage and meaning of words for purposes other than their literal meanings.
- ii) *Fi'li 'urf* :consists of commonly recurrent practices which have been accepted by the people.

'*Urf* whether practical or verbal is divided into two types: General and Special '*Urf 'am* and '*Urf khas*.

'*Urf 'am* is one which is prevalent everywhere and the people agree with it regardless of the passage of time.

'*Urf khas* is prevalent in a particular locality, profession or trade.

From the view point of its conformity or otherwise with the *Shari'ah* custom is once again divided into two types of approved custom ('*Urf al sahih*) and disapproved custom ('*Urf al fasid*).

Approved custom is one which is observed by the people at large and there is no indication in the *Shari'ah* that it contravenes any of its principles. The disapproved custom is also practiced by the people but there is evidence to show that it is repugnant to the principles of *Shari'ah*.⁴²

d) *Sadd al dhara'i*

Literal meaning :is a synonymous with *wasilah* which signifies the means to obtain a certain end, whereas *sadd* literally means to block. *Sadd al dhara'i* thus implies to block the (evil) means to an expected end which is likely to materialize if the means towards it is not obstructed.

Sadd al dhara'i technically means to block the means to evil. When a lawful means is expected to lead an unlawful result, or that a lawful means which normally leads to a lawful result is used to procure an unlawful end. The concept of *sadd al dhara'i* is founded in the idea of preventing an evil before it actually materializes. It is therefore not always necessary that the result will be an evil. It is rather the objective expectation that a means is likely to lead to an evil result which renders the means in question unlawful even without the realization of the expected result.

From the view point of the degree of probability or otherwise that a means is expected to lead to an evil end, scholars have divided the *dhara'i* into four types as follows:

- a) Means which definitely lead to an evil.
- b) Means which must likely lead to an evil and is rarely, if ever, expected to lead to a benefit.
- c) Means which frequently leads to an evil but there is no certainty, nor even a dominant probability that this will always be the case.
- d) The last of the four varieties of means is that which is rarely expected to lead to an evil and it is most likely to lead to benefit.⁴³

e) *Qawl-i-Sahabah*

Literal means :sayings of Companions.

According to the majority of scholars, anyone who has met Muhammad Rasul-Allah ﷺ, while believing in him even for a moment, and dies as a believer, is a Companion (*Sahabi*) regardless as to whether he or she narrated any Hadith from Muhammad Rasul-Allah ﷺ or not.

Imam Ahmad Ibn Hanbal has distinguished the sayings or verdicts of Companion into two types, one being *qawl* or *fatwa* which is not opposed by any other Companion, or that no variant *ijtihad* has been advanced on the same point. Imam Ahmad Ibn Hanbal regards this variety of *fatwa* to be authoritative. The second variety is one on which the Companions have disagreed, and have issued two or three different rulings concerning the same problem. In this situation Imam Ahmad Ibn Hanbal considers them all to be valid and equally authoritative.⁴⁴

f) *Shara'i ma Qabl*

Literal means :previous revealed *Shara'i*.

Laws of previous revealed religions which still exist in present form of these books but the Qur'an and the Sunnah is silent about these laws. These laws have no relevance nor they can be relying upon as distortion and misinterpretations have taken place in them. Laws revealed in previous religions are of three kinds:

- a) Laws which have been abrogated by the Qur'an and the Sunnah unambiguously.
- b) Laws which remained intact even in this *Shari'ah*.
- c) Laws about which present *Shari'ah* is silent.⁴⁵

g) *Istisahab*

Literal meaning :*istisahab* means escorting or companionship. It is rational proof which may be employed in the absence of other indications.

Technically, *istisahab* denotes that, facts, or rules of law and reason, whose existence or non-existence had been proved in the past are presumed to remain so for lack of evidence to establish any change.

From the view point of the nature of the conditions that are presumed to continue, *istisahab* is divided into four types as follows:

- a) Presumption of original absence (*istisahab al 'adam al asli*), which means that a fact or rule of law which had not existed in the past is presumed to be non-existent until the contrary is proved.
- b) Presumption of original presence (*istisahab al wujud al asli*). This variety of *istisahab* takes for granted the presence of existence of that which is indicated by the law or reason.

- c) *Istisahab al hukm* or *istisahab* which presumes the continuity of the general rules and principles of the law. When there is a ruling in the law, whether prohibitory or permissive, it will be presumed to continue until the contrary is proved. When the law is silent on a matter and it is not repugnant to reason it will be presumed to be permissible.
- d) *Istisahab al wasf* or continuity of attributes such as presuming clean water to remain so until the contrary is established.⁴⁶

Imam Ibn Taimiyyah in one of his booklet titled *Ahkam Shari'ah* has discussed the sources of *Shari'ah* according to him there is a consensus among the Muslims regarding the sources of Islam, everybody believes that first among these sources is *kitab Allah*, none among the scholars of Islam have differ with this.

Besides *kitab Allah*, Imam Ibn Taimiyyah has discussed following sources of *Sharia'ah* in his books:

- a) *Sunnah of Rasul-Allah*.
- b) *Ijma'*.
- c) *Qiyas*. (*qiyas* based on the Qur'an, the Sunnah and *ijma'* only).
- d) *Istisahab*.
- e) *Masalih mursalah*.
- f) *Istihsan* (according to Imam Ibn Taimiyyah *istihsan* is a branch of *Masalih mursala*).
- g) *Sadd al dhara'i*.

Although Imam Ibn Taimiyyah has mentioned above cited classification of the sources of *Shari'ah* but his famous disciple Ibn al Qayyim while discussing Imam Ibn Hanbal's principles of *Shari'ah* has declared *kitab Allah* and Sunnah of Rasul-Allah one and the same source as he considers *masalih mursalah* and *qiyas* as one and the same thing. According to him *nasus* consists primary source (*asal awwal*) *kitab Allah* (the Qur'an) and Sunnah of Rasul-Allah only, and gives secondary (*asal thani*) importance to *fatawa* of Companions if there exists no contradictions in these *fatawa*, he includes such *fatawa* in third stage (*asal thalith*) which are in accord with Ahadith, and put such *da'if* Ahadith in fourth stage (*asal rabi'*) whose fabrication has not been proved, according to Ibn al Qayyim *qiyas* had fifth place (*asal khamis*).

Ibn al Qayyim in his explanation has not mentioned the *ijma'* however, he has included authentic Ahadith in *nasus* and has included *masalih mursalah* and *istisahab* in *qiyas*, and has given important place to such *fatawa* which have not been opposed, according to him these *fatawa* of Companions are of permanent nature, after that Ibn al Qayyim has mentioned such Ahadith about which there is

a disagreement among the scholars regarding their authenticity. Then he picks such *fatawa* and sayings which are nearer to Sunnah, and lastly he has mentioned *da'if* Ahadith also.

Ibn al Qayyim has not mentioned the *qiyas* because in Hanbali school of thought accepted consensus is consensus of Companions only that's why he has narrated consensus under the title of sayings of Companions.

As we have mentioned above in Imam Ibn Taimiyyah's principles of *Shari'ah* the first and primary thing is *nasus* which includes *kitab Allah* and Sunnah of Rasul-Allah, which can be exegetical to the Qur'an. As for as sources of *Shari'ah* are concerned Ibn al Qayyim puts *kitab Allah* and Sunnah of Rasul-Allah in the same category, as is established principle of Hanbali School. Imam Ibn Taimiyyah is of the same opinion, all jurists of Hanbali school of thought follow their Imam in this regard, for them *kitab Allah* and Sunnah of Rasul-Allah are inseparable, because the Sunnah is exegesis and commentary of *kitab Allah* and clarifies ambiguity of the Quranic verses. They put Sunnah in following categories:

- a) Sunnah refers to a source of the *Shari'ah* and a legal proof next to the Qur'an.
- b) Sunnah may consist of an explanation or classification to the Qur'an; it may clarify the ambivalent (*mujjamal*) of the Qur'an, qualify its absolute, or specify the general terms of the Qur'an.

Types of Sunnah

According to Imam Ibn Taimiyyah every type of Sunnah is proof (*hujjah*) itself whether it clarifies the Qur'an or not. He has divided the Sunnah into three types and considers all three types of the Sunnah as proof, these three types are:

- a) Sunnah which is explanatory to the Qur'an, it is through this type of Sunnah that Quranic expressions like *salah*, *zakah*, *hajj*, *'umrah* and *fara'id* etc. have acquire their juridical (*Shari'i*) meanings.
- b) Sunnah may consist of rulings on which the Qur'an is silent. This variety of Sunnah referred to as *al Sunnah al mustaqilah* or *mu'assisah*, or permanent Sunnah, it neither confirms nor opposes the Qur'an, and its contents can not be traced back to the Qur'an. Like the punishment of death by stoning (*rajam*), the right of pre-emption (*shuf'*) etc. we have discussed this in detail in first chapter of our thesis, except Kharjis whole *ummah* accepts this type of Sunnah as proof (*hujjah*).
- c) Commands of Muhammad Rasul-Allah ﷺ which have been narrated by reliable narrators, scholars, jurists and *muhaddithin* every body is of the

opinion that these Commands of Sunnah are acceptable and it is obligatory to follow them.⁴⁷

Imam Ahmad Ibn Hanbal and status of Sunnah

Imam Ahmad Ibn Hanbal is not fully convinced that Sunnah of Rasul-Allah ﷺ is complete exegesis of the Qur'an thus, obvious meaning of the Qur'an should be derived according to exigency of the Sunnah, according to him there can not be contradiction between the obvious meaning of the Qur'an and the Sunnah. He criticized those who under the grab of obvious meaning of the Qur'an neglect and ignore the Sunnah. He writes:

The Almighty Allah has sent His Rasul Muhammad with true religion and guidance to make this religion dominant over other religions. He revealed book upon him which is absolute path to guidance and light for people. It is exclusive right of Rasul-Allah given to him by his Allah to teach knowledge of obvious, hidden, special, general, and abrogated things of the Qur'an thus, it is Rasul-Allah who has been entrusted to define the meanings and exegesis of the Qur'an to people. Companions were witness to this as Allah choose them for his Companionship, they narrated everything they heard from Rasul-Allah about the exegesis of the Qur'an thus they being witness to this revelation and Companions and disciples of Muhammad Rasul-Allah knows better the meaning of the Quranic verses ('Aliyy used to say I swear by Allah there is no Quranic verse about which I do not know where and about whom this verse was revealed and what this verse meant for people) that's why Companions became narrators of Rasul-Allah's sayings about the exegesis of the Qur'an.⁴⁸

Imam Ahmad Ibn Hanbal while defining the relation of the Qur'an and the Sunnah says, it is the Sunnah by which one can gain knowledge of the Qur'an, religious path can be identified by the Sunnah alone, it is Sunnah by which one can understand the *Shari'ah* of Islam, and those who suppose *kitab Allah* enough for guidance and ignore Sunnah of Rasul-Allah ﷺ are far away from straight path of Islam and they are misguided people. There are various proofs why obedience to Sunnah is obligatory.

- a) Obedience to Sunnah of Rasul-Allah ﷺ is actually obedience to the Qur'an, there are scores of Quranic verses which made obedience to Rasul-

Allah ﷻ obligatory, and after his demise obedience to Rasul-Allah ﷺ is possible only by following his Sunnah.

- b) It is obligatory to gain knowledge of the Sunnah because; it is Sunnah by which we can obey Rasul-Allah ﷺ.
- c) The major parts of the teachings of Islam which are common among the Muslims have been derived from the Sunnah of Rasul-Allah ﷺ.

Imam Ibn Taimiyyah's views on Sunnah

Imam Ibn Taimiyyah also followed the same line; he did not ignore any Hadith even if it seems that said Hadith is against the general text (*zawahir Qur'an*) of the Qur'an, he did not like to make discussions on such Quranic texts. Even if the said Hadith is not absolutely authentic he wouldn't ignore the Hadith. Imam Ibn Taimiyyah was in complete agreement in this regard with Imam Shafi'i and Imam Ahmad Ibn Hanbal and had difference with Imam Abu Hanifah's approach regarding Ahadith which seems to be contrary to the general text of the Qur'an. While discussing both these approaches in detail Imam Ibn Taimiyyah claimed it is not permissible in anyway to ignore authentic Hadith.

Muhiyy al Sunnah Imam Ibn Taimiyyah vehemently seems to follow Sunnah; according to him Sunnah is *hakim* (authority) on the Qur'an. He discouraged people from doing exegesis of the Qur'an by their opinions (*tafsir birrai*) 'exegesis by opinion' he used to say that it was entrusted duty of Muhammad Rasul-Allah ﷺ to explain the Qur'an, Companions not only learned text of the Qur'an from him but its exegesis and commentary also, whether related to beliefs or actions, they learned every type of knowledge about the Qur'an from Muhammad Rasul-Allah ﷺ, if some Companions did not get opportunity to learn everything from Rasul-Allah ﷺ they learned it then from other well learned Companions.

According to this principle first and primary duty of the exegesis of the Qur'an is on Muhammad Rasul-Allah ﷺ after him it is duty of Companions as they learned it directly from Rasul-Allah ﷺ then comes the turn of successors (*tab'in*) and after them it was duty of their followers (*tab' tab'in*) to explain the Qur'an for people, thus, there is no scope for (*tafsir birrai*) whosoever wants to understand the Qur'an by its exegesis he must consult these four sources first a) Ahadith b) *athar* of *Sahabah* c) *aqwal tab'in* d) *aqwal tab' tab'in*, there are rarely such Quranic verses about which he wouldn't get sayings of Companions and their followers. Imam Ibn Taimiyyah by emphasizing on these four sources for exegesis wants to discourage the trend of exegesis by opinion, it is not proper to presume that Imam Ibn Taimiyyah has closed doors for further deliberation and

understanding of the Qur'an, his opinion about *ijtihad* and *qiyas* will automatically falsify this presumption. One has to understand this principle about exegesis under such circumstance where people on the basis of their independent understanding of general text of the Qur'an used to ignore Ahadith, saying they are against the text of the Qur'an, otherwise being a *mujtahid muntasib* himself how could he close the door of *ijtihad* which itself is a creative exertion.

Basis of *Shari'ah* is the Qur'an and the Sunnah, and Sunnah is exegesis of the Qur'an, Companions not only learned the Qur'an with its exegesis from Rasul-Allah ﷺ but accordingly conveyed it to their successors. Imam Ibn Taimiyyah for every religious issue used to consult *kitab Allah* and Sunnah of Rasul-Allah ﷺ first, and then he used to follow Companions and their successors he even used to present their sayings as religious proof. Whenever there occurred differences between him and his contemporary scholars about any issue whether this issue has a religious sanctity or not Imam Ibn Taimiyyah's suggestion to them was 'lets decide the matter on the basis of the Qur'an the Sunnah or the sayings and actions of Companions and their successors'. During a debate with some scholars he said:

I have given three years time to my opponents to falsify my views by producing any evidence of (*qurun thalatha*) first three generations of Muslims, if they produce single word or any action which falsify my views I will accept their decree.⁴⁹

For Imam Ibn Taimiyyah *qurunthalatha* means Companions their successors and their followers.

After giving brief account of Imam Ibn Taimiyyah's views on *nasus* (the Qur'an and the Sunnah) above, we will discuss here his views regarding other two sources (*ijma'* and *qiyas*) in brief.

Ijma'

It is clear from its definition that *ijma'* can only occur after the demise of Muhammad Rasul-Allah ﷺ, because during his lifetime, he himself alone was the highest authority on *Shari'ah*, hence the agreement or disagreement of others did not effect the overriding authority of Muhammad Rasul-Allah ﷺ. After the demise of Muhammad Rasul-Allah ﷺ, the Companions used to consult each other over the problems they encountered and their collective agreement was accepted by the community. After the Companions, this leadership role passed on to the next generation, the successors and then to the second generation of successors. When they differed on any issue, they naturally referred it to the views and practices of the Companions and the successors. In this way a fertile ground was created for the development of the *ijma'*.⁵⁰

According to Imam Ibn Taimiyyah after *nusus*, *ijma'* too is a religious proof (*hujjah*) he further says that, there is a consensus among the scholars and jurists that, *ijma'* too is a religious proof.

Imam Ibn Taimiyyah consider *ijma'* as religious proof he said if there occurs *ijma'* on any religious issue nobody should oppose this, according to him *ijma'* cannot take place on any evil thing as Islamic scholars cannot deviate unanimously from the right path.

Ijma' in the Qur'an

While discussing issues relating *ijma'* Imam Ibn Taimiyyah presents proof from the Qur'an about the sanctity of *ijma'* he says being *ummah al wast* and *khair al ummah* this *ummah* will remain always firm on good, he narrates following verse in support of his views.

كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ وَتَنْهَوْنَ
عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ وَلَوْ آمَنَ أَهْلُ الْكِتَابِ لَكَانَ
خَيْرًا لَهُمْ مِمَّنْ آمَنُوا وَلَٰكِنْ أَكْثَرُهُمْ أَفْسِقُونَ ﴿١١٠﴾

You are the best of Peoples, evolved for mankind, enjoining what is right, forbidding what is wrong, and believing in Allah. If only the People of the Book had Faith, it was best for them: among them are some who have Faith, but most of them are perverted transgressors.

(al 'Imran 3:110)

This *ayah* attests to some of the outstanding merits of the Muslim community. It is thus agreed, that, had it been possible for the community to agree upon error, the Qur'an would have never praised it in such terms.

Attribute of Muslims which this verse presents is that, they will enjoin *al ma'ruf* (all that Islam has ordained) and forbid *al munkar* (all that Islam has forbidden) same attributes have been mentioned in following verses. Allah says:

الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَّ الَّذِي يَجِدُونَهُ مَكْتُوبًا عِنْدَهُمْ
فِي التَّوْرَةِ وَالْإِنْجِيلِ يَأْمُرُهُمْ بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَيُحِلُّ
لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ وَيَضَعُ عَنْهُمْ إِصْرَهُمْ وَالْأَغْلَالَ
الَّتِي كَانَتْ عَلَيْهِمْ فَالَّذِينَ آمَنُوا بِهِ وَعَزَّرُوهُ وَنَصَرُوهُ وَاتَّبَعُوا
الْثَّوْرَ الَّذِي أُنْزِلَ مَعَهُ ۚ أُولَٰئِكَ هُمُ الْمُفْلِحُونَ ﴿١٧٧﴾

Those who follow al-Rasul, unlettered al- Nabiyy, whom they find mentioned in their own [Scriptures] in the Torah and the Injil for he commands them what is

just and forbids them what is evil; he allows them as lawful what is good [and pure] and prohibits them from what is bad [and impure]; he releases them from their heavy burdens and from the yokes that are upon them. So it is those who believe in him, honour him, help him, and follow the Light which is sent down with him, it is they who will prosper. (al A'raf 7:157)

وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا لِتَكُونُوا شُهَدَاءَ عَلَى النَّاسِ
وَيَكُونَ الرَّسُولُ عَلَيْكُمْ شَهِيدًا وَمَا جَعَلْنَا الْقِبْلَةَ الَّتِي كُنْتَ
عَلَيْهَا إِلَّا لِنَعْلَمَ مَنْ يَتَّبِعِ الرَّسُولَ مِمَّنْ يَنْقَلِبُ عَلَى عَقْبَيْهِ وَإِنْ كَانَتْ
لَكَبِيرَةٌ إِلَّا عَلَى الَّذِينَ هَدَى اللَّهُ وَمَا كَانَ اللَّهُ لِيُضِلَّ عِبَادَهُ إِنَّ
اللَّهَ بِالنَّاسِ لَرءُوفٌ رَحِيمٌ ﴿١٥٧﴾

Thus have We made of you an *umma* justly balanced, that ye might be witnesses over the nations, and al-Rasul a witness over yourselves; and we appointed the *qibla* to which thou *wast* used, only to test those who followed al-Rasul from those who would turn on their heels [from the Faith]. Indeed it was [a change] momentous, except to those guided by Allah. And never would Allah make your faith of no effect. For Allah is to all people most surely full of Kindness, Most Merciful. (al Baqarah 2:143)

Literally *wast* means middle implying justice and balance, qualities which merit recognition of the agreed decision of the community and the rectitude of its way. Furthermore it is by virtue of uprightness that Allah has bestowed the Muslim *umma* with the merit of being a witness over mankind.

After presenting this verse Imam Ibn Taimiyyah says *wast* means just and *khiyar* means good.⁵¹

Above mentioned verses are first proof regarding the *hujjah* of *ijma'* which Imam Ibn Taimiyyah presents, he presents second proof also in this regard.

وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ
سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّى وَنُصْلِهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا ﴿١١٥﴾

If anyone contends with al-Rasul even after guidance has been plainly conveyed to him, and follows a path other than that becoming to men of Faith, We

shall leave him in the path he has chosen, and land him
in Hell, what an evil refuge! (al Nisa 4:115)

The commentators observe that ‘the way of the believers’ in this *ayah* refers to their agreement and the way they have chosen, in other words, to their consensus. Adherence of the way of the community is thus binding and departure from it is forbidden. That departing from the believer’s way has been approximated to disobeying Muhammad ﷺ, both of which are forbidden.

Imam Ibn Taimiyyah said:

Imam Shafi‘i in his booklet which he wrote on principles of *fiqh* has presented this verse as a proof for *ijma‘*, because this makes it clear that, it is punishable to leave (*sabilil muminin*) ‘believer’s path’, it is just as to oppose Sunnah of Rasul-Allah which everybody knows is punishable act, thus, it is obvious that one who leaves (*sabilil muminin*) deserves the same punishment as one gets due to opposition to Sunnah.⁵²

Imam Ibn Taimiyyah on the basis of the same verse considers *ijma‘* as a religious proof and presents this verse as logic for *ijma‘* according to him *ijma‘* is one among the various types of deduction. For him it is necessary that proof of *ijma‘* too should be supported by the authentic Ahadith it will make this point clear that those on whose exertion *ijma‘* took place were well versed in *sahih* Ahadith because it is not permissible to oppose *sahih* Ahadith on the basis of *ijma‘* because *ijma‘* comes next to Ahadith only, thus it is not correct to ignore Ahadith in any way. Imam while presents his view says:

We have with great quest and research proved it that, every issue on which *ijma‘* has been established, there was a *nass* for it and the truth is that, *ijma‘* should take place on the basis of *nass*, what Imam Ibn Taimiyyah meant here is that, those who are doing exertion for *ijma‘* should derive their arguments from the Qur’an and the Sunnah. He presents various such examples where it is claimed that these matters have been proved by *ijma‘* but the actual position was that, said matters were already dealt in Sunnah, and it was on the basis of Sunnah, *ijma‘* about these matters took place, one example of this is issue of *madarbat*.

In nutshell Imam Ibn Taimiyyah’s view about *ijma‘* is that it should be based on *nass* not on *qiyas*.

Ijma‘ in Ahadith

The Ahadith which are most frequently quoted in support of *ijma‘* reads:

لا تجتمع امتي على الضلالة

“My community shall never agree upon an error.”

لا تجتمع امتي على الخطأ

“My community shall never agree upon an error.”

لم يكن الله ليجمع امتي على الضلالة

“Allah will not let my community agree upon an error.”

سألت الله تعالى ان لا يجمع امتي على الضلالته فأعطانيها

“I beseeched Allah Almighty that, my Ummah should not agree upon an error, He granted me this.”

من سره ان ليسكن بجبوحه الجنة فليلزم الجماعة،

ان الشيطان مع الفرد وهو من الاثنين ابعد

“One who seeks joy of Paradise should remain with community, no doubt *Shiatan* can chase an individual but he stands farther away from two.”⁵³

٢٠٩٣ حدثنا أبو بكر بن نافع البصري حَدَّثَنَا الْمُعْتَمِرُ بْنُ سُلَيْمَانَ حَدَّثَنَا سُلَيْمَانُ الْمَدِينِيُّ عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ عَنْ ابْنِ عُثْمَرَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِنَّ اللَّهَ لَا يَجْمَعُ أُمَّةً مَحْمُودَةً إِلَّا قَالَ أُمَّةٌ مُحَمَّدٌ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى ضَلَالَةٍ وَيَذِلُّ اللَّهُ مَنَعَ الْجَمَاعَةَ وَمَنْ شَذَّ شَذَّ إِلَى النَّارِ ❁

Ibn ‘Umar reported that, Rasul Allah said: “Allah will not let my *ummah* agree upon an error, the hand of Allah is with the community who separates himself from it deviates to the Fire.”⁵⁴

٦٦٠ حدثنا سُلَيْمَانُ بْنُ حَرْبٍ حَدَّثَنَا حَمَّادٌ عَنْ الْجَعْفَرِ عَنْ أَبِي رَجَاءٍ عَنْ ابْنِ عَبَّاسٍ يَرْوِيهِ قَالَ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ رَأَى مِنْ أَمِيرِهِ شَيْئًا فَكَّرَهُ فَلْيُضَيِّرْ فَإِنَّهُ لَيْسَ أَخَذَ يُغَارِقُ الْجَمَاعَةَ شَيْئًا فَيَمُوتُ إِلَّا مَاتَ مِيتَةً جَاهِلِيَّةً ❁

Ibn ‘Abbas reported that, al-Nabiyy said: “Whosoever finds anything wrong with his *amir* (ruler) should keep patience, because whoever separates himself from the community and dies dies the death of ignorance.”⁵⁵

Ijma’

According to Imam Ibn Taimiyyah *ijma’* it is a binding proof. But it seems that the very nature of this high status that is accorded to *ijma’* has demanded that only an absolute and universal consensus would qualify. Yet absolute consensus on the rational content of *ijma’* has often been difficult to obtain. There is thus no room whatsoever for disagreement within the concept of *ijma’*.

Imam Ibn Taimiyyah further says, the only form of *ijma’* which has been generally upheld is that of Companions of Muhammad Rasul-Allah ﷺ, which is partly due to their special status and not always due to their participation and consensus. According to him *ijma’* has often claimed on rulings on which only a

majority consensus had existed within or beyond a particular school. *Ijma'* derives its validity from the *nasus* about the infallibility ('*ismat*) of the *ummah*.

Imam Ibn Taimiyyah was asked a question about the meaning of the consensus of scholars (*ijma' 'ulama*) is it correct for a *mujtahid* to disagree with them? And what is the meaning of that consensus? And is the saying of Companions an authority? He replied:

All praises to the Allah, consensus means that scholars of Muslims will get assembled on any commandment of commandments and when the consensus of *ummah* on any commandment is proved, then it is not allowed for anyone to disagree with this established *ijma' ummah* shall never agree on an error. In various issues some people think that, there is a consensus on such and such issue, but the actual situation is that, there is other sayings about the said issue which are preferred in the Qur'an and the Sunnah.⁵⁶

As for as the sayings of some of the *a'imah* particularly of four *a'imah* are concerned that is neither imperative authority nor the consensus, they used to refrain people from their emulation and order them that when they find anything in the Qur'an and the Sunnah they should ignore our sayings. Their followers in early generations used to do the same and blind emulation took place only in latter generations.

Qiyas

Qiyas is the extension of a *Shari'ah* value from the original case, or *asl*, to a new case or *far'*, because the latter has the same effective cause as the former. The original case is regulated by a given text and *qiyas* seeks to extend the same textual ruling to the new case. It is by virtue of the commonality of the effective cause, '*Illah*, between the original case and the new case that the application of *qiyas* is justified. A recourse to analogy is only warranted if the solution of a new case can not be found in the Qur'an, the Sunnah or a definite *ijma'* for it would be futile to resort to *qiyas* if the new case can be resolved under a ruling of the existing law. It is only matters which are not covered by the *nasus* and *ijma'* that the law may be deduced from any of these sources through the application of analogical reasoning.

Proof of *Qiyas* in the Qur'an

The '*ulama* of the all four *Sunni* schools have validated *qiyas* and have quoted several Quranic passages in support of their views:

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى
 الْأَمْرِ مِنْكُمْ فَإِنْ تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ
 كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

O you who believe! Obey Allah, and obey al-Rasul, and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and His al-Rasul, if ye do believe in Allah and the Last Day: that is best, and most suitable for final determination.

(al Nisa 4:59)

The proponents of *qiyas* have reasoned that a dispute can only be referred to Allah and to Muhammad Rasul-Allah ﷺ by following the signs and indications that we find in the Qur'an and the Sunnah. One way of achieving this is to identify the rationale of the *ahkam* and apply them to disputed matters, and this is precisely what *qiyas* is all about. The same reasoning has been advanced with regard to:

إِنَّا أَرْسَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَادَ اللَّهُ وَلَا

تَكُنَ لِلْخَافِيينَ حَصِيصًا ﴿١٠٥﴾

"We have sent down to you the Book in truth, that you mightiest judge between men as guided by Allah: so be not [used] as an advocate by those who betray their trust;"

(al Nisa 4:105)

A judgment may thus be based on the guidance that Allah has clearly given or on that which bears close similarity to it. The Qur'an often indicates the rationale of its laws either explicitly or by reference to its objectives. The proponents of *qiyas* have further quoted, in support of their views:

هُوَ الَّذِي أَخْرَجَ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ
 مِنْ دِيَارِهِمْ لِأَوَّلِ الْحَشْرِ مَا ظَنَنْتُمْ أَنْ يَخْرُجُوا
 وَظَنُّوا أَنْهُمْ مَانِعَتُهُمْ حُصُونُهُمْ مِنَ اللَّهِ فَأَتَتْهُمْ
 اللَّهُ مِنْ حَيْثُ لَمْ يَحْتَسِبُوا وَقَذَفَ فِي قُلُوبِهِمُ الرُّعْبَ يُخْرِبُونَ بُيُوتَهُمْ بِأَيْدِيهِمْ
 وَأَيْدَى الْمُؤْمِنِينَ فَاعْتَبِرُوا يَا أُولِيَ الْأَبْصَارِ ﴿٢٠﴾

It is He Who got out the Unbelievers among the People of the Book from their homes at the first gathering [of the forces]. Little did you think that they would get out: and they thought that their fortresses

would defend them from Allah! But the [Wrath of] Allah came to them from quarters from which they little expected [it], and cast terror into their hearts, so that they destroyed their dwellings by their own hands and the hands of the Believers. Take warning, then, O you with eyes [to see]! (al Hashr 59:2)

Consideration in this context means attention to similitude and comparison between similar things.

Qiyas in the Ahadith

- a) Qiyas is a form of *ijtihad*, which is expressly validated in Hadith of Mu'adh Ibn Jabal. It is reported that Muhammad Rasul-Allah ﷺ asked Mu'adh on the eve of the latter's departure as judge to the Yemen question in whose answer Mu'adh told Muhammad Rasul-Allah ﷺ that he will resort to his own opinion in case he failed to find guidance in the Qur'an and the Sunnah, and Muhammad ﷺ was pleased with this reply. Since the Hadith does not specify any form of reasoning in particular, analogical reasoning falls within the meaning of this Hadith.

١١٤٩ مَدَنَّا هَذَا حَدَّثَنَا وَكَسَّحَ عَنْ شُعْبَةَ عَنْ أَبِي عَوْنٍ الْقُفَيْرِ عَنْ الْخَارِثِيِّ بْنِ عَمْرٍو عَنْ رِجَالٍ مِنْ أَصْحَابِ مُعَاذٍ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَعَى مُعَاذًا إِلَى الْيَمَنِ فَقَالَ كَيْفَ تَقْضِي بِمَا فِي كِتَابِ اللَّهِ قَالَ فَإِنْ لَمْ يَكُنْ فِي كِتَابِ اللَّهِ قَالَ فَيَسْئَلُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فَإِنْ لَمْ يَكُنْ فِي سُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَسْتَعِيزُ بِرَأْيِي قَالَ الْحَمْدُ لِلَّهِ الَّذِي وَفَّقَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

Companions of Mu'adh narrated: When Rasul Allah ﷺ sent Mu'adh to Yemen he said to Mu'adh: How will you make decision? He said: According to the Book of Allah. Rasul Allah said: If you do not find anything [regarding the matter] in the Book of Allah, he said: I will consult Sunnah of Rasul Allah, Rasul Allah said: If you do not find anything in that too? He Said: I will exert my opinion. Rasul Allah said, all praise to Allah who guides envoy of Rasul Allah.⁵⁷

- b) The Sunnah provides evidence that Muhammad Rasul-Allah ﷺ resorted to analogical reasoning on same occasions when he did not receive a revelation on a particular matter. On one such occasion, a woman called Khas'amiyyah came to Muhammad ﷺ and said that her father had died without performing the *hajj*. Will it benefit him if she performed the *hajj* on her father's behalf? Rasul Allah ﷺ told her: suppose your father had a debt to pay and you paid it on his behalf, would this benefit him. To this her reply was in affirmative and Rasul Allah ﷺ said: the debt owed to Allah merits even greater consideration.

It is reported that ‘Umar Ibn Khattab asked Rasul-Allah whether kissing vitiates the *sawm* during Ramadan. Rasul-Allah asked him in return: what if you gargle with water while *sawm*. ‘Umar replied that this did not matter. Rasul-Allah told him ‘the answer to your first question is the same’.⁵⁸

Imam Ibn Taimiyyah has written a booklet about *qiyas*, in which he has discussed *qiyas sahih* and *qiyas batil* in detail he has discussed various such issues which Islamic scholars have included into *istihsan* but Imam Ibn Taimiyyah considers them as issues of *qiyas*. Although he agrees with other scholars as for as the definition of *qiyas* and its proof is concerned but he clarifies that word *qiyas* is brief word which carries both valid and invalid meanings thus *Shari‘ah* endorses *qiyas sahih* only and rejects *qiyas batil*.

Essence of *Qiyas Sahih*

Thus correct analogy is that which is mentioned in the *Shari‘ah* and will unite those who are unanimous and abdicate those who are disagreed, first is *qiyas tard* (ousted analogy) and second is *qiyas ‘aks* (expressive analogy) and that is from the wisdom with which Allah Almighty sent His Rasul. Thus, there is nothing in the *Shari‘ah* which is against the *sahih qiyas*, however there are some things which are against the false or *qiyas batil*, though some people do not know the incorrectness thereof.

It is narrated from ‘Aliyy and Zaid that both used to present the analogy as authority and that they were always giving preference to analogy he erred, and whosoever claimed that they used to decide the matters on the basis of mere analogy, he also erred, infact, each of them used to talk according to his knowledge, thus whosoever would find indications of the Book (i.e., the Qur’an) quoted that, and whosoever would find the indications from the other source, mentioned that, correct evidences are not contradictory to one another. However sometimes the shape of their agreement is hidden or apprehension of weakness happens to be possible in some ‘*ulama*, *Sahabah* possessed understanding of the Qur’an which was concealed to latter ‘*ulama*. Likewise, they possessed such cognizance of situation of Rasul-Allah ﷺ and Sunnah, about which ‘*ulama* were unaware. Because they saw Rasul-Allah ﷺ, watched the revelation of the Holy Qur’an and observed (profoundly) Rasul-Allah ﷺ, they would know such, deeds, sayings and conditions of him, by which they used to prove their point, and which were hidden to latter scholars and those who hadn’t the cognizance of it, thus they searched the solution from the consensus and analogy.⁵⁸

Whosoever said among the latter *‘ulama* that, *Shari‘ah* is based on consensus and presented the conditions of Rasul-Allah ﷺ, in this regard it is the fault of that person’s understanding of the Book and the Sunnah who presented this view as argument. Similarly, their saying that analogy is needed for most of the events because the evidences (either in the Qur’an or in the Sunnah) are extinct, indeed it can be the saying of such person who has no understanding of the Book and the Sunnah and has no cognizance of argumentation, by the Qur’an and the Sunnah. Imam Ahmad said: indeed there is no issue which has not been discussed and talked about by the *Sahabah*, because when numbers of cities were conquered and Islam spread allover the world, every kind of issues emerged, and then they [*Sahabah*] used to quote the Qur’an and the Sunnah about such affairs. Only a few of them have said something about these issues on the basis of their opinion. However, often *Sahabah* neither presented the consensus as an authority nor were in need of that, whilst they were the men of consensus. During the period of *tab‘in* ‘Umar, wrote a letter to Qadi Shuraih, and ordered him, ‘make the decisions by the Book of Allah if you do not find solution in it, then make the decisions by the Sunnah of Rasul-Allah ﷺ and if you do not find in it too, then, righteous people have made the decisions before you, seek the guidance from them. It is mentioned in another narration that he wrote him that, make the decisions on the basis of consensus.

‘Umar presented the Book first and then Sunnah. Ibn Mas‘ud has also quoted that, ‘Umar, firstly presented the Book and then Sunnah and after the Sunnah, presented the consensus. Similarly, Ibn ‘Abbas used to issue verdicts by the Book and then by whatever is in the Sunnah and after it by the Sunnah of Abu Bakr and ‘Umar, because Rasul-Allah ﷺ had said:

٢٥٩٦ حدثنا سعيد بن يحيى بن سعيد الأموي حدثنا وكيع عن سالم أبي الغلاء المزدي عن عمرو بن هريم عن
 ربعي بن جزي عن خديجة رضي الله عنه قال كنا جلوسا عند النبي صلى الله عليه وسلم فقال إني لا أدري ما بقايس
 فيكم فافتدوا باللذين من بعدي وأشار إلى أبي بكر وعمر *

“Hudhifah narrated that, we were seated with al-Nabiyy ﷺ: He said I do not know how long I will be among you thus; you should follow those who will be after me and pointed out towards Abi Bakr and ‘Umar.”

However, a group of latter scholars said: a diligent scholar should firstly see the *ijma‘* and if he finds that issue in it, he should not turn his attention towards other things.⁶¹

Istisahab

When there is no *nass*, for the deduction of religious decree Imam Ibn Taimiyyah consider *istisahab hujjah* (proof), Shafi'i, Hanbali, Shi'i and Zahiri schools of thought also consider it a proof.⁶²

According to Imam Ibn Taimiyyah *istisahab* denotes continuation of that which is proven and the negation of that which had not existed. In other words *istisahab* presumes continuation of both the positive and the negative until the contrary is established by evidence.

In the case of the missing person the question is mainly concerned with the continuity of his life. Life being the attribute, since the missing person (*mafqud*) was alive at the time when he disappeared, he is presumed to be alive unless there is a proof that he has died. He is therefore entitled, under the Shafi'i and Hanbali doctrines, to inherit from a relative who dies while he is still a missing person. But no one is entitled to inherit from him for the obvious reason that he is presumed alive. But under the Hanfi and Maliki law, the missing person neither inherits from others nor can others inherit from him.

The Shafi'i's and Hanbali's have, on the other hand, validated *istisahab* in both its defensive (*li daf'*) and affirmative (*li kasb*) capacities. Hence the *mafqud* is presumed to be alive in the same way as he was at the time of his disappearance right up to the time when he is declared dead. The *mafqud* is not only entitled to retain all his rights but he can acquire new rights such as gifts, inheritance and bequests.⁶³

Masalih mursalah

All the Hanbali scholars held that *masalih mursalah* is authoritative and all that is needed to validate action upon it is to fulfill the conditions which ensure its propriety. Ahmad Ibn Hanbal and his disciples are known to have based many of their *fatawa* on *masalih*, which they held as a proof of *Shari'ah* and an instrument of protecting the faith, securing justice, and preventing *mafsadah*.

According to Imam Ibn Taimiyyah when the *masalih* is identified and the *mujtahid* does not find an explicit ruling on the *nusus*, he must act in its pursuit by taking the necessary steps to secure it.⁶⁴

As *masalih* consists of considerations which secure a benefit or prevent a harm but are in the meantime harmonious with the objectives of the *Shari'ah* according to some jurists it consists of protecting the five essential values, namely religion, life, intellect, lineage and property. Any measure which secures these values falls within the scope of *masalih*, and any thing which violates them is *mafsadah* (evil), and preventing the latter is also *masalih*.

Imam Ibn Taimiyyah considers this interpretation confined one, according to him as it is established that *masalih* meant to protect above mentioned five essentials it also consists securing of benefit. He says:

Masalih mursalah means both to secure benefit and to prevent harm, those who confined it to prevention of harm to five essentials only, are actually accepting one type of *masalih* only, while securing benefit is related to both religious as well as worldly matters thus securing benefit is necessary component of *masalih mursalah*.⁶⁵

The basic purpose of legislation in Islam is to secure the welfare of the people by promoting their benefits or by protecting them against harm; and the *Shari'ah* provides no indication as to its validity or otherwise.

According to Imam Ibn Taimiyyah some jurists name *masalih* as *ra'y* (opinion) and some as *istihsan*. Hanbali school of thought considers *masalih mursalah* one among the principles of deduction (*istinbat*) and Imam Ibn Taimiyyah attributes *masalih al mu'tabarah* to *qiyas*.

Masalih al mu'tabarah: which the lawgiver has expressly upheld and enacted a law for its realization. This is called *al masalih al mu'tabarah*, or accredited *masalih*.

Imam Shafi'i approves *masalih mursalah* only within the general scope of *qiyas*, whereas Imam Abu Hanifah validates it as variety of *istihsan*. All four *Sunni* schools of thought are in agreement, in principle that all genuine *masalih* which do not conflict with the objectives of the lawgiver must be upheld.

Istihsan

Istihsan is a method of exercising personal opinion in order to avoid rigidity and unfairness that might result from the literal enforcement of the existing law. Juristic preference is a fitting description of *istihsan* as it involves setting aside an established analogy in favour of an alternative ruling which serves the ideals of justice and public interest in a better way.

According to Imam Ibn Taimiyyah, *istihsan* is the abandonment of one legal norm for another which is considered better on the basis of the Qur'an, the Sunnah and consensus.⁶⁶

Qiyas, Masalih mursalah and Istihsan

In his effort to determine the *Shari'i* ruling of a particular issue the jurists must first refer to the Qur'an, the Sunnah and *ijma'*. In the absence of any ruling in these sources, he must attempt *qiyas* by identifying a common '*illah*' between a ruling of the text and the issue for which a solution is required. However if the

solution arrived at through *qiyas* leads to hardship or unfair results, he may depart from it in favour of an alternative analogy in which the '*illah*', although less obvious, is conducive to obtaining a preferable solution. The alternative analogy is a preferable *qiyas*, or *istihsan*. In the event however, when no analogy can be applied, the jurist may resort to *masalih mursalah* and formulate a ruling which in his opinion, serves a useful purpose or it prevents a harm that may otherwise occur.

It thus appears that *masalih mursalah* and *qiyas* have a feature in common that is both are applicable to cases on which there is no clear ruling available in the *nasus* or *ijma'*. They also resemble one another in the sense that the benefit that is secured by recourse to them is based on a probability, or *zann*, either in the form of an '*illah*' in the case of *qiyas*, or of a rational consideration which secures a benefit in the case of *masalih mursalah*. However *qiyas* and *masalih* differ from one another in certain aspects. The benefit which is secured by *qiyas* is founded on an indication from the lawgiver and a specific '*illah*' is identified to justify the analogy to the *nass* but the benefit which is sought through *masalih mursalah* is on other basis in the established law, whether in favour or against. *masalih mursalah* in other words stands on its own justification whereas *qiyas* is the extension of a ruling which already exists.

Sadd al dhara'i

When a lawful means is expected to lead to an unlawful result or that a lawful means which normally leads to a lawful result is used to procure an unlawful end. The whole concept of *sadd al dharai'* is founded on the idea of preventing an evil before it actually materializes. It is therefore not always necessary that the result should actually obtain. It is rather the objective expectation that a means in question unlawful even without the realization of the expected result.⁶⁷

From the viewpoint of the degree of probability or otherwise that a means expected to lead to an evil end, Imam Ibn Taimiyyah has divided the *dharai'* into three types as follows:

- a) Means which definitely lead to an evil, and person concerned will get involved in unlawful activity e.g. such transactions which will become means of usury, all these transactions are unlawful as they lead man to unlawful end. Example *bay' ainah*.
- b) Means which lead to an evil results, a conduct which might have been otherwise permissible and even praiseworthy, Allah forbids the Muslims

from insulting those whom disbelievers worship (idols) besides Allah, lest they insult Allah wrongfully without knowledge.

- c) Trick which leads to unlawful end. Everybody has right to sell his property, but if he sells it just before the completion of one year to get rid of *zakah* it is unlawful.⁶⁸

Imam Ibn Taimiyyah has narrated various examples by which he proves his point that unlawful means are unlawful in themselves as they lead to unlawful ends.

- a) It is prohibited to abuse parents but the question arises how one can abuse his parents? If anyone abuses parents of any person it is possible his parents also will be abused by the said person, it means to abuse someone's parent is actually to abuse one's own parents.
- b) It has been prohibited by Rasul-Allah ﷺ to send marriage proposals to a woman during her probationary period, because it can lead to marriage itself which is unlawful when woman is in her probationary period.
- c) Rasul-Allah ﷺ has prohibited such transaction where debt has been related with the transaction as it can lead to usury.
- d) Rasul-Allah ﷺ forbade the creditor from taking a gift from his debtor lest it became a means to usury and the gift is a substitute to *riba*.
- e) Rasul-Allah ﷺ has said: the killer does not inherit; one may have killed to get the inheritance quickly.
- f) There is a consensus among the Companions that, if the group of persons have killed someone, whole group will be killed, it is to prevent group killings.
- g) Allah prohibited His Rasul ﷺ in Makkah from reciting the Qur'an loudly, as polytheists used to abuse Allah and His Rasul on listening the Qur'an.⁶⁹

According to Imam Ibn Taimiyyah all these examples are based on *sadd al dhar'ai* and the scope of it is very vast and it is difficult to cover it. His famous disciple Ibn al Qayyim records at least seventy seven instances and rulings of the learned Companions and the subsequent generations of '*ulama* in which they resorted to *sadd al dhara'i*', so as to block the means that led to an evil.

According to Imam Ibn Taimiyyah the appropriate sources of religious belief is the Qur'an and the Sunnah.

A permanent, importance and memorable contribution of Imam Ibn Taimiyyah is the renewal and revival of Islamic ideology. He emerged in an era when scholars in particular and masses in general used to neglect the Qur'an and the Sunnah particularly latter as the sources of Islamic *Shari'ah*, he invited people to the Qur'an and the Sunnah and gave stress with the Quranic verses, the Sunnah

and sound reasoning to this logic that whether it is a matter of worship (*'ibadat*) or other affairs (*ma'malat*) one has to consult first the Qur'an and the Sunnah origin of *ijma'* and *qiyas* are also the same sources and when Sunnah is available there is no room for anyone to seek guidance from any other means. It was an era when rationalism and emulation of individuals (*taqlid shaksi*) was very common.

In the period of Imam Ibn Taimiyyah deterioration of Islamic thought was so deep that instead of the Qur'an and the Sunnah scholars used to derive proof for the unity of Allah, *risalah* of Rasul-Allah ﷺ and other beliefs from the books of logicians, and some were busy to make conformity between the established principles of philosophy and beliefs of Islam, they even went to an extent of undesirable interpretation of the Quranic verses and the Ahadith in this regard. They were so influenced by the 'superiority' of philosophy that, instead of rejecting it they used to interpret the Qur'an and the Sunnah to prove the conformity between the two.

There is no ambiguity in Rasul Allah's teachings

Philosophers, scholastic philosophers and their fellow companions were of the view that, Rasul-Allah ﷺ has not provided absolute detail and explanation regarding the essence (*dhat*) and attributes (*sifat*) of Allah and these things have been told in brief and abstract form thus large part of the Qur'an needs explanation, and 'due to Allah's favour scholastic philosophers have provided detailed and comprehensive account of religious beliefs and principles to people'.

According to Imam Ibn Taimiyyah Rasul-Allah ﷺ was entrusted to convey the religion of Allah to mankind, he explained and clarified every thing whose explanation and clarification was requirement of religion. Every thing was explained by Rasul-Allah ﷺ, belief, principles of religion, fundamental teachings of religion, essence and attributes of Allah, without knowing them it would have been not possible for man to know his Creator. The Book which repeatedly invites mankind to deliberation and careful thought, how is it possible Rasul-Allah ﷺ would have left it in ambiguity and unexplained. Imam Ibn Taimiyyah writes:

Rasul-Allah has performed the duty of preaching (*tablig*) and has conveyed the religion of Allah with its objective and motive. If there is any word in the Qur'an and the Ahadith which one can not understand and whose literal meaning is not apparent, it is obvious that, Rasul-Allah has conveyed its meaning in other understandable words. It is not possible that, Rasul-Allah can speak any word whose apparent meaning is

null and void nor it suits him that, he will expect people to understand such words whose meaning he has not told them. It is an objection to Rasul-Allah if some one believes that he had left religious teachings unexplained and in abstract form and people should understand them on their own, well the truth is that Rasul-Allah has conveyed Allah's religion to mankind unambiguously and by all practical means.⁷⁰

Imam Ibn Taimiyyah and *Taqlid*

As we mentioned earlier Imam Ibn Taimiyyah's ancestors particularly his father, 'Abd al Halim and grand father, Mujjadad al Din 'Abd al Salam were reputed Hanbali scholars, they were possessing ability of *ijtihad* that's why the latter had some differences with four *a'imah*. Imam Ibn Taimiyyah was bred and brought in a atmosphere which was not only academic but there was no signs of sectarian rigidity, blind emulation or any other kind of prejudice as for as four schools of thought are concerned. In early stage of his age people used to attribute him to Hanbali school and he was appointed teacher in a Hanbali school but with the passage of time he did not confine himself to the studies of Hanbali books only, he used to consult teachers from every school of thought, he studied every book he got about Hadith and *fiqh* and soon got specialization in all four schools of thought, he used to examine sayings of four *a'imah* in the light of the Qur'an and the Sunnah as it was a hectic mission he did it with the diligence and hard labour. It was this ability of examining all four schools of thought, which gave him edge over his contemporary scholars and he established his authority as a *mujtahid*. Whenever any complicated issue occurs and he failed to solve it, he used to invoke these words:

اللَّهُمَّ رَبَّ جِبْرَائِيلَ وَمِيكَائِيلَ وَإِسْرَافِيلَ فَاطِرَ السَّمَوَاتِ وَالْأَرْضِ عَالِمَ
الْغَيْبِ وَالشَّهَادَةِ أَنْتَ تَحْكُمُ بَيْنَ عِبَادِكَ فِيمَا كَانُوا فِيهِ يَخْتَلِفُونَ،
أَعِدْنِي لِمَا اخْتَلَفَ فِيهِ مِنَ الْحَقِّ بِأَذْنِكَ أَنْتَ تَهْدِي مِنَ تَنَاهٍ إِلَى صِرَاطِ الْمُسْتَقِيمِ

O! Allah! The Allah of Jibril, Mika'il and Israfi'l and the Creator of heavens and earth, knowing of concealed [hidden] and visible, You decide among Your servants in a matters of differences, guide me towards right path in the matters of confusion, truly You guide to right path whom You wish.⁷¹

Imam Ibn Taimiyyah always used to invoke in these words: (يَا مُعَلِّمُ إِبْرَاهِيمَ عَلِّمْنِي) 'O! Teacher of Ibrahim teach me'.

Imam Ibn Taimiyyah's approach to settle the religious issues

Imam Ibn Taimiyyah's approach to settle the religious as well as mundane issues were entirely different from his contemporary scholars, he used to derive his argument from the Qur'an and the Sunnah even if it was a minor religious issue, then he will quote from the Companions and their successors, and lastly he narrate sayings of reputed *a'imah*, here he used to choose only such sayings which are more in conformity with the Qur'an and the Sunnah than other sayings, he would not care even if selected saying is against the views of Imam Ahmad Ibn Hanbal. Because his point of view was that, it was established principle of every Imam that one should by every means support truth. He further says that, if any jurist is supporting any saying on the basis of his creative exertion and insight which is against his Imam, perhaps he is following his Imam because every Imam has said that, 'when you obtain Hadith leave our sayings and follow the Hadith'.

Unconditional and unlimited emulation to the jurists which seems to stand parallel to obedience to Rasul-Allah ﷺ, has been discouraged and refuted by the jurists in every period. Regarding emulation Imam Ibn Taimiyyah's views are well balanced he neither support Imam Ibn Hazm's opinion regarding emulation who considers it unlawful nor does he allow blind and unconditional emulation. Imam Ibn Taimiyyah is on the top of the list among those scholars who have moderate opinion about the emulation. Imam acknowledges this view that for those scholars, who do not have ability of *ijtihad* and for common people emulation is the only option because from them *a'imah* are mediators who made them understand the religion. According to him obedience to Allah and His Rasul and that which Allah and His Rasul has made legitimate, and that which has been declared forbidden by Allah and His Rasul. And what has been prescribed by Allah and His Rasul as obligatory it is necessary for mankind (*Ins*) and (*Jinn*) to consider it obligatory. As there are various teachings of Islam about which common people are ignorant thus, they have to consult such scholars who can teach them. Because scholars are well versed in the teachings of Rasul-Allah ﷺ and know the motives of these teachings. *A'imah* are like medium by which people learn teachings of Islam, and those who preach Islam and makes understand the meaning by their creative exertion. By the grace of Allah some scholars understand the meanings of Islamic teachings in such a way of which other scholars remain unaware. Scholars are the heirs of *Anbiya'* scholars creative exertion regarding religious commands is like as various people in any unknown place or in darkness fix direction of the Ka'ba on the basis of their intellect and circumstantial signs if four such groups will fix four different directions and presume their directions as correct and offer *salah* in their respective direction, according to Imam Ibn Taimiyyah *salah* of all these four

groups is valid although it is obvious only one group had offered *salah* in right direction, this group who offered *salah* in right direction on the basis of creative exertion will get double reward from Allah and other three groups will get solitary reward for their creative exertion Imam Ibn Taimiyyah cites Hadith:

١٢٤٨ حدثنا الحسن بن مهيدي حدثنا عبد الرزاق أخبرنا معمر عن سفيان الثوري عن يحيى بن سعيد عن أبي بكر بن عمرو بن حزم عن أبي سلمة عن أبي هريرة قال قال رسول الله صلى الله عليه وسلم إذا حكم الحاكم فاجتهد فأصاب فله أجران وإذا حكم فخطأ فله أجر واحد ﴿١﴾

“Abi Hurairah reported that, Rasul Allah said: When judge does creative exertion and reaches at right conclusion he gets double reward and if he commits error in his creative exertion he gets single reward.”⁷²

When the development of any person on any particular school of thought takes place it is natural that he will do his worship and settle his affairs according to the same school of thought, and it is an ancient practice, but the dignity of Muslim demands that, he should remain sincere to his Allah and Rasul-Allah ﷺ and should consider himself bound to the obedience to Allah and His Rasul. He should always follow the Qur'an and the Sunnah in a letter and spirit and should never give priority to any thing over the Qur'an and the Sunnah, Imam Ibn Taimiyyah writes further:

Generally a person adopts the religion of his parents, teachers and people of his state as mostly children used to follow religion of their parents and guardian, but it is necessary that when a person attains maturity he should follow the Qur'an and the Sunnah and should remain obedient to Allah and His Rasul, he should not become among those about whom Allah has said:

وَإِذَا قِيلَ لَهُمْ اتَّبِعُوا مَا أَنْزَلَ اللَّهُ قَالُوا بَلْ نَتَّبِعُ مَا آَلَفَيْنَا عَلَيْهِ
عِبَادَنَا أُولُو كَانْ عَابَاؤُهُمْ لَا يَعْقِلُونَ شَيْئًا وَلَا يَهْتَدُونَ ﴿١٧٠﴾

“When it is said to them: Follow what Allah has revealed: they say: Nay! We shall follow the ways of our fathers: what! Even though their fathers were void of wisdom and guidance!” (al Baqarah 2:170)

Whosoever obeys his parents, customs of his nation instead of Allah and His Rasul is ignorant and he will be punished for his arrogance. Similarly when the right path becomes visible, and religious commands crystal clear there is no option but to follow the right path and obey the *Shari'ah* commands, whosoever astray here deserves wrath of Allah.

As we mentioned earlier that Imam Ibn Taimiyyah was against blind emulation of any jurist or scholar (*taqlid shaksi*) he has written a lot about this while discussing various schools of thought he writes:

When any incident occurs to any Muslim he must consult such a scholar about whom he knows that, he is issuing decrees according to the Qur'an and the Sunnah no matter to which school of thought scholar belongs. It is not obligatory for Muslims to follow any particular Imam in his all sayings and nor it is permissible for any Muslim to make obedience to any particular school obligatory for himself by neglecting Sunnah. Except Rasul-Allah ﷺ whose obedience is obligatory for us, every scholar's sayings can be accepted or rejected. To follow any particular school of thought is permissible only for those people who are unable to know *Shari'ah* by other sources and means but it is not permissible for those who have ability to know about the *Shari'ah* by other sources. Everybody should do his best to seek the knowledge of the Qur'an and the Sunnah and fear Allah wherever he is and, follow His Rasul in every aspect of his life.

There is no discrimination between the *A'imah*

According to Imam Ibn Taimiyyah there is no discrimination between the *a'imah* on the basis of their status while answering to a question whether it is permissible to adopt views of Hamad Ibn 'Aliyy Sulaiman, Sa'id Ibn al Mubarak, Sufyan Ibn Thauri and Awzai' instead of views of four *a'imah* he replied:

Above mentioned *a'imah* are leaders of jurists and scholars, Imam Thauri was Imam of Iraq and majority of people used to give him preference over Ibn Abi Laila, Hasan Ibn Salih, Abu Hanifah and other contemporary scholars of his school of thought remains alive even today in Khurasan. Awzai' was Imam of Syria up to fourth 4th century A.H people used to follow him, people of Western Africa used to follow him until Imam Malik's school of thought reached there. Hamad Ibn 'Aliyy Sulaiman was teacher of Imam Abu Hanifah. Hamad Ibn Abi Sulaiman's school of thought remains alive even to this date Dawud Ibn 'Aliyy and his companions were followers of the same school, there are followers of these schools in both east and west, there is no discrimination between these *a'imah* as far as the Qur'an and the Sunnah is concerned, Imam Malik, Laith Ibn Sa'd, Awzai' and Thauri were *a'imah* of their era *taqlid* of any one of them is equal to *taqlid* of other *a'imah*, no Muslim can claim *taqlid* of such and such Imam is permissible and *taqlid* of such and such is prohibited.⁷³

Practising Sunnah against *Maslak*

A question was asked to Imam Ibn Taimiyyah that a person obtains the knowledge of one among the four schools of thought and gets proficiency in it

after then he turns to *'Ilm Hadith* and finds some authentic Ahadith which are against his school of thought, is it obligatory for him to remain firm on his *maslak* or he should act on Hadith? He replied that it has been proved by the Qur'an, the Sunnah and consensus that Allah has made bound mankind only for the obedience to His Rasul, except Rasul-Allah ﷺ nobody's obedience is obligatory or binding in its own right, that's why successor of Rasul-Allah ﷺ, Abu Bakr made it crystal clear in his first public speech! O! People obey me till I obey Allah and His Rasul, when I disobey Allah you are not bound to obey me. It is because to make obedience exclusively for Allah and His Rasul, *a'imah* too were of the opinion that, when you obtain authentic Hadith leave our sayings aside.

Ijtihad* and Imam Ibn Taimiyyah's views about four *A'imah

Long before the era of Imam Ibn Taimiyyah in 7th and 8th Century A.H, the body of Islamic law according to the four major schools of Imam Abu Hanifah, Imam Malik, Imam al Shafi'i and Imam Ibn Hanbal, had been collected and written down. Moreover, by his time, they had been so interpreted and reinterpreted, and expanded by the numerous jurists and disciples of each of the various schools that there was hardly a contemporary legal issue that had not been tackled by one school or another. This itself may be the major reason why creative exertion *ijtihad* had become so stagnant by Imam Ibn Taimiyyah's time that there was an instant readiness on the part of the scholars to attack him for his interpretive efforts. Be that as it may, the fact remains that large systems of law had been in existence, and were available to anyone interested and equipped to study them.

Ijtihad is the most important source of Islamic law next to the Qur'an and the Sunnah. The main difference between *ijtihad* and the revealed sources of the *Shari'ah* lies in the fact that *ijtihad* is a continuous process of development whereas Divine revelation and legislation have discontinued with the demise of Muhammad Rasul-Allah ﷺ. In this sense, *ijtihad* continues to be the main instrument of interpreting the Divine message and relating it to the changing conditions of the Muslim community in its aspirations to attain justice, deliverance and truth.

Being a derivation of the root word *jahada*, *ijtihad* literally means striving or self exertion in any activity which entails a measure of hardship. It would thus be in order to use *jahada* in respect of one who carries a heavy load but not so if he carries only a trivial weight, juridically, however, *ijtihad* mainly consists, not of physical, but of intellectual exertion on the part of the jurist, *ijtihad* is defined as to

total expenditure of effort by a jurist, with a degree of probability, the rules of *Shari'ah* from their detailed evidence in the source.

It was in the study of *fiqh* that Imam Ibn Taimiyyah first achieved his intellectual maturity and independence, for as has been seen, this was the legacy of his father and grand father. And it was to Islamic *fiqh* that his intellectual consciousness was first awakened. Born in Hanbali scholars family, he naturally studied it first at length, the responsibility of completing *muswaddat al usul*, a work on the Hanbali school started by his grand father and continued by his father, fell upon him. Yet he simultaneously studied other schools, and became well-versed in comparative Islamic *fiqh*, as is evident in his frequent references to the various opinions of the four major jurists.

According to Imam Ibn Taimiyyah four *a'imah* are unanimous regarding the obedience to Muhammad Rasul-Allah ﷺ, and that none of them had intentionally offered a deviant opinion. However, in the remainder of his book, Imam Ibn Taimiyyah offers three excuses for any divergence from an authentic Hadith. These excuses are: Lack of knowledge of the specific Hadith, or possibly doubting that Muhammad Rasul-Allah ﷺ had said it; his belief that it does not pertain to the issue in question; and his belief that it had been abrogated. Such reasons, effectively detailed and illustrated from the experiences of the Companions and *salaf*, by Imam Ibn Taimiyyah, point to the fallibility of the chief jurists of Islam, but do not in any way reduce their inestimable worth for all Muslims. Rather, they are applauded for their initiative and their scholarly enterprise. To err in *ijtihad* in spite of one's sincerity and capability, is not unpardonable. If a qualified *mujtahid* as we mentioned Hadith earlier achieves right opinion, he deserves a double reward; a reward for assuming the task, and a reward for making the mark; if he errs, he still is entitled to a reward for his initiative and effort. If a *mujtahid* is condemned for error, he asks rhetorically, who will dare to do *ijtihad*? Imam Ibn Taimiyyah stipulates, however, that when divergences exist they be confined to the applications (*faru'*) of texts, and not in the fundamental doctrines (*aqa'id*). If the four scholars appeared to hold different doctrinal views, Imam Ibn Taimiyyah explained that such differences were differences of detail not of essence.

Imam Ibn Taimiyyah's views on *Ijtihad* and its categories

Imam Ibn Taimiyyah's tolerance of the very differences of the major Islamic legists itself reveals his own attitude towards the sectarianism of his day; more importantly, it discloses his views about *ijtihad* itself.

In spite of the inclement conservatism that had stifled *ijtihad*, Imam Ibn Taimiyyah, some of which is due perhaps to unwavering partisan loyalty, he was not hindered from following his conviction that the signs of the age were now calling not so much for original systems of law, but for the scripture to throw their light on the existing *fiqh*. For this he saw no urgency for radical *ijtihad*; rather it was necessary to synthesize his own understanding of the Qur'an and the Sunnah in light of the work of the legists, especially Imam Ibn Hanbal, whom he considered the most comprehensive in scope, and the closest among them to the source of law.

Abu 'Amr Ibn al Salih and Ibn Hamadan have divided *mujtahidun* into five categories, Imam Ibn Taimiyyah has discussed all these categories in *musawadah al usul*, the five categories are:

- a) Independent (absolute) *ijtihad*: the practitioner of this first type is not affiliated with any of the schools of *fiqh*. He is not bound by the principles (*asul*) of another legist, and may reach conclusions which are at major or minor variance with those of others. Ibn al Salih, a cataloguer of *ijtihad*, claimed that this definition of independent *ijtihad* must remain strict and claimed consequently that no more absolute *ijtihad* is possible, since the scholars and jurists had exhausted all the principles (*asul*) of *fiqh*, and had dealt with an abundance of application (*faru'*).
- b) Associated (affiliated) *ijtihad*: this level is in every respect similar to absolute *ijtihad* except that it strictly follows one of the *a'imah* in its methodology. This may be due to the *mujtahid's* nurture in a particular school; but it may equally be the scholar's independent conclusion that a certain school most nearly matches his own studied opinions. Abu Zahrah indicates that numerous interpreters of Imam Ibn Hanbal, Imam Malik and Imam Shafi'i contemporary disciples belong to this category. Others were claimed as *mujtahidun* of Hanfi affiliation but have been deemed independent, since they departed noticeably for the method and applications of Abu Hanifah. According to Abu Zahrah, this category of *ijtihad* is to be credited with the expansion of *fiqh* school, since its *mujtahidun* constantly address themselves to new events and problems in the spirit and the method of their school, but with the qualifications of original scholarship, illuminated by the activities of their predecessors.

In this connection, a distinction is drawn between independent clarity, which characterizes *ijtihad* and

imitation (*taqlid*) which ought not to be mistaken for it. Though the opinions of a jurist of this class may differ in their applications from the school with which he is identified, they are nonetheless grouped together. And though the particular opinion in a given case may be at variance with the opinion of the Imam himself, it remains part of the body of law of that Imam himself, it remains part of the body of law of that Imam's school, enhancing it and expanding its horizons. This juristic tolerance is called *wajuh*.

- c) Restricted *ijtihad* :performers of this type of interpretation are for the most part editors, and codifiers within a certain school. They collect and categorize the opinions of the school, and extract and generalize the opinions of the schools and extract and generalize their rules. They may occasionally offer an opinion in a new case not previously addressed by their Imam or his school, but they must always conform to its frame work. Whereas in affiliated *ijtihad* an interpreter utilizes the inductive method, in the case of restricted *ijtihad* he is bound by the deductive. His choice of the principles of a particular school is governed by (*taqlid*) although such an interpreter is expected to be knowledgeable about the sources of the law as well as the procedures of *ijtihad*; he never exercises this prerogative where his Imam had already given an opinion. He does so only in new situations.

- d) Verifications *ijtihad* :here the work of the *mujtahid* is narrowly defined ascertaining the veracity of certain opinions as they become needed. He has a degree below the practitioner of restricted *ijtihad* in that he expresses a legal opinion only in case of extreme need, that is, in the absence of a more qualified interpreter. He may not speak for the school with which he is identified, although he may hand down a decision (*fatwa*) according to that school.

- e) Transmission (recitation) *ijtihad* :in this category, an individual may hardly be recognized as a *mujtahid*, since his legal opinions are merely reiterations of those of his school. He may not offer explanation of the preambles of recited opinions or the arguments of their conclusions. He is, however, a *mujtahid* insofar as accurately learns the body of legal information of his school and is able to retrieve it for application. The basic prerequisite for this type of *ijtihad* is innate aptitude towards *fiqh*.⁷⁴

Imam Ibn Taimiyyah's status as *Mujtahid*

According to above mentioned categories of *mujtahidun*, Imam Ibn Taimiyyah would fall clearly within the highest level. Although he certainly qualifies as an interpreter of the first degree, i.e. as exercising absolute *ijtihad*, yet he never claimed that honour for himself. For that reason, and for his repeated association of his *ijtihad* to that of Ibn Hanbal, he is considered a second-level *mujtahid*, i.e. he practiced 'associated' or affiliated (*muntasib*) *ijtihad*.

Imam Ibn Taimiyyah's jurisprudential activity qualifies him for the category of affiliated *ijtihad*, since he maintained his affiliation with the Hanbali School, and few of his opinions depart from it significantly. He would not belong to any lower category of *ijtihad*; for he was thoroughly versed in the Sunnah and in comparative *fiqh*. His concurrence with Imam Ibn Hanbal was based on his own study of the *usul* which brought him independently to the same conclusions; and his agreement with Imam Ibn Hanbal on some applications of the law was rooted in specific agreements and evidence which he marshaled for that purpose.

Conclusion

It is an established fact that, Imam Ibn Taimiyyah was against blind emulation (*taqlid*) and used to derive conclusions directly from the Qur'an and the Sunnah, it is because of this approach he had differences with four *a'imah* on certain issues. Majority of scholars are convinced that, because of his encyclopaedic knowledge and ability to deduct laws directly from the Qur'an and the Sunnah, Imam Ibn Taimiyyah was *mujtahid* and *mujadid* of 8th century A.H. Even his rivals have accepted his status as a *mujtahid* and Imam of his era.

Imam Ibn Taimiyyah's most important and unforgettable contribution is his revivalist movement in which he gave new direction to his contemporary scholars, he invited them to make the Qur'an and the Sunnah primary source of beliefs and juristic issues, he himself laid the foundation of this new trend otherwise there was complete stagnation among the scholars they were acting like imitators of their predecessors, and rarely derive conclusions directly from the Qur'an and the Sunnah, no matter whether the issue is related to beliefs or jurisprudence they used to consult only books of jurisprudence which were written by the scholars of different schools of thought. A new trend was set by Imam Ibn Taimiyyah he opened the doors of *ijtihad* and *istinbat* and brought dynamism in Islamic thought. He is one of those legendary personalities of Islamic history who gave new life to Islamic thought in their respective eras.

ذَٰلِكَ فَضْلُ اللَّهِ يُؤْتِيهِ مَن يَشَاءُ وَاللَّهُ ذُو الْفَضْلِ الْعَظِيمِ ﴿٤٦﴾

“Such is the Bounty of Allah, which He bestows on whom He will: and Allah is the Rabb of the highest bounty.” (al Jumu‘ah 62:4)

ياموت خذ من اردت او قدع · محوت رسم العلوم والورع
 اخذت شيخ الاسلام وانتصمت · عرى التقى واشتقى اولو البدع
 غيبت بحرامفسرا جبلا · حبر انتقيا مجانب اشبم
 فان يحدث فمسلم ثقته · وان يناظر فصاحب اللمع
 وان يخض نحو سيبويه يفه · بكل معنى فى الفن مخترع
 وصار على الاسناد حافظه · كشعبه اوسعيدن الضبعي
 والفقه فكان مجتهدا · وذا جهاد عار من الجزع
 وجوده الحاتمي مشتته · وزعده القادري فى الطبع
 اسكنه الله فى الجنان ولا · زال عليا فى اجمل الخلع
 مع امام مالك، امام احمد، والشعمان والشافعي والنخعي
 مضى ابن تيميه وموعده · مع خصمه يوم تقخته الفرع

O death! Whom you like holds back and whom you like leave, but [today] you washed out the imprints of sciences and piety.

You got the hold of *Shaikh al Islam* and the grip of piety broke, the heart of the innovators exulted.

You made the commentator as vast as ocean and as great as mountain, a great scholar, pious and who avoids satiety.

If he narrates a Hadith he looks as authentic as Muslim and if he makes pedagogic discussions he resembles the author of *al Luma*.

If he contemplates on the grammar of Saybwiya he fulfills all the novel denotations of the dexterity.

Like Sha‘bah and Sa‘id al Dab‘i he attained the highest grade of the memorizer in the science of chains (*al asnad*).

In jurisprudence he was a *mujtahid* and great *mujahid* who had no fear.

His generosity was well-known resembling that of al Hatim; and his asceticism was innate similar to that of (Shaikh ‘Abd al) Qadir.

May Allah lodge him in Paradises and may dress him in the most beautiful robe of honour.

May he be in the company of Imam Malik, Imam Ahmad, Imam al Nu'man, Imam al Shafi'i and Imam al Nakh'i.

Imam Ibn Taimiyyah passed away and he has the rendezvous with his rivals on the day when the bugle will be blown.⁷⁵

CHAPTER NOTES III

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6. Abu Zahrah, op.cit. p.52.
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22. Ibid, pp.244, 295.
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29. Sayyid Abu al Hasan al Nadwi, *Tarikh Da'wat wa 'Azimat*, U.P.India, Majlis Tahqiqat wa Nashriyat Islami, 1998.vol.2, pp.193, 194.
30. Ibn Taimiyyah, *al Radd 'ala al Bakri*, op.cit. p.328.
31. Ibid, pp.377, 378.
32. Ibn Qayyim, op.cit. vol.I, p.17.
33. Ibid, p.14.
34. Ibid, pp.427, 428.
35. Idem.
36. Ibid, pp.482, 483.
37. Thomas Patrick Hughes, *Dictionary of Islam*, Delhi India, Adam Publishers and Distributors, 1998, p.484.
38. Ibid, pp.197, 198.
39. Ibid, pp.482, 483.
40. Kamali, op.cit. p.309, Ibn Taimiyyah, MF, op.cit.vol.II, pp.187,188,256,260.
41. Ibid, p.339 ----- Idem.

42. Ibid, p.359 ----- Ibid, vol.2, pp.152, 157.
43. Ibid, p.392 -----Ibid, vol.25, pp.110, 111.
44. Ibn Taimiyyah, MF, vol.13, 19, 23, pp.17, 18,225,318,108,109.
45. Ibid, vol.19, p.8.
46. Muhammad Hashim Kamali, *Principles of Islamic Jurisprudence*, Malaysia, Pelanduk Publications (M) Sdn Bhd Selangor Darul Ehsan,1389, p.377, Ibn Taimiyyah, MF,vols.11,13,23,29,35, pp.132,187,97,12,90.
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48. Ibid, p.630.
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51. Ibn Taimiyyah, MRK, op.cit. vol.4, p.194.
52. Abu Zahrah, op.cit. pp.635,636.
53. Kamali, op.cit. pp.224-226.
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56. Ibn Taimiyyah, MF, op.cit. vol.19, p.145.
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62. Ibid, vol, 25, pp.132, 133.
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64. Ibn Taimiyyah, MF, op.cit, vol.II, pp.187, 188.
65. Abu Zahrah, op.cit. p.671.
66. Ibn Taimiyyah, MF, op.cit, vol.II, pp.187, 188.
67. Ibid, vol.25, pp.110, 111.
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71. Ibn Qayyim, op.cit. vol.4, p.223.
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CHAPTER 4 A

SOCIAL ASPECT OF ISLAM AND APPLICATION OF SUNNAH

Each and every man depends on the other in his day to day life. It is this relationship between man and man that forms the basis of society. This relationship according to the Qur'an and the Ahadith takes place in different ways. Before we attempt to study the relationship between man and society in brief, let us clarify first the meaning of society.

Society

A man is born in a family and when different families interact with each other a community is formed and society emerges out of the relationship and interactions that take place in different communities. It is said that society is a web of social relationships. Society is born out of man's need for other man; therefore, society is a creation of man.

Islamic society is a system of Divine rules and regulations. It has in it procedures for mutual aid and control over human behaviour. Society by its very nature is a web of social relationships. The relationships are complex in nature. On the one hand, under the Divine commands it promotes peace and harmony but when people do not follow these commands chaos and conflicts are also possible in the society.

The Qur'an points out that, every thing created in the universe is so interlinked with every other that, the universe with all that is therein constitutes but a single entity and functions as such. That is the way of life ordained by its Creator.

فَهَلْ يَنْظُرُونَ إِلَّا سُنَّتَ الْأَوَّلِينَ فَلَن تَجِدَ لِسُنَّتِ اللَّهِ تَبْدِيلًا وَلَن تَجِدَ

لِسُنَّتِ اللَّهِ تَحْوِيلًا ﴿٤٣﴾

And you will not find in the dispensation of Allah a change nor will you find in the dispensation of Allah a turning off.
(Fatir 35:43)

الَّذِي خَلَقَ سَبْعَ سَمَوَاتٍ طِبَاقًا مَّا تَرَىٰ فِي خَلْقِ الرَّحْمَنِ
 مِنْ تَفَوتٍ فَارْجِعِ الْبَصَرَ هَلْ تَرَىٰ مِنْ فُطُورٍ ﴿٣﴾ ثُمَّ ارْجِعِ
 الْبَصَرَ كَرَّتَيْنِ يَنْقَلِبْ إِلَيْكَ الْبَصَرُ خَاسِئًا وَهُوَ حَسِيرٌ ﴿٤﴾

He Who created the seven heavens one above another: no want of proportion will you see in the Creation of [Allah] Most Gracious. So turn your vision again: see you any flaw? Again turn your vision a second time: [your] vision will come back to you dull and discomfited, in a state worn out. (al Mulk 67:3-4)

الشَّمْسُ وَالْقَمَرُ بِحُسْبَانٍ ﴿٥﴾ وَالنَّجْمُ وَالشَّجَرُ يَسْجُدَانِ ﴿٦﴾ وَالسَّمَاءُ
 رَفَعَهَا وَوَضَعَ الْمِيزَانَ ﴿٧﴾ أَلَّا تَطْغَوْا فِي الْمِيزَانِ ﴿٨﴾ وَأَقِيمُوا
 الْوِزْنَ بِالْقِسْطِ وَلَا تُخْسِرُوا الْمِيزَانَ ﴿٩﴾

The sun and the moon follow courses [exactly] computed; and the herbs and the trees both [alike] bow in adoration. And the Firmament has He raised high, and He has set up the Balance [of Justice], in order that you may not transgress [due] balance. So establish weight with justice and fall not short in the balance.

(al Rahman 55:5-9)

The Qur'an invites man to ponder over the working of the universe or man's external world of relations and also ponder over the universe that is with in himself.

أَفَلَا يَتَذَكَّرُونَ الْفُرْعَانَ وَلَوْ كَانَ مِنْ عِنْدِ غَيْرِ اللَّهِ لَوَجَدُوا فِيهِ اخْتِلَافًا
 كَثِيرًا ﴿٨٧﴾

“Do they not consider the Qur'an [with care]? Had it been from other than Allah, they would surely have found therein much discrepancy.” (al Nisa 4:82)

الَّذِينَ يَذْكُرُونَ اللَّهَ قِيَدًا وَقُعُودًا وَعَلَىٰ جُنُوبِهِمْ وَيَتَفَكَّرُونَ فِي خَلْقِ
 السَّمَوَاتِ وَالْأَرْضِ رَبَّنَا مَا خَلَقْتَ هَذَا بَطُلًا سُبْحَنَكَ فَقِنَا عَذَابَ
 النَّارِ ﴿٨٩﴾

Who remember Allah standing and sitting and lying on their side and reflect on the creation of the heavens and the earth, over Rabb! You created not all this in vain. Hallowed be you! Save us you from the torment of the fire. (al 'Imran 3:191)

أَوَلَمْ يَتَفَكَّرُوا فِي أَنفُسِهِمْ مَّا خَلَقَ اللَّهُ السَّمَوَاتِ
وَالْأَرْضَ وَمَا بَيْنَهُمَا إِلَّا بِالْحَقِّ وَأَجَلٍ مُّسَمًّى وَإِنَّ كَثِيرًا مِّنَ
النَّاسِ بِلِقَائِ رَبِّهِمْ لَكَافِرُونَ ﴿٨﴾

Do they not ponder in their minds. Allah has not created the heavens and the earth and what is in between except with a purpose and for an appointed term? And verily many men are unbelievers in the meeting of their Rabb. (al Rum 30:8)

And suggests that therein both in his internal world and in his external world is at work the eternal principle of balance and harmony to urge on him the need for devoted imitations in his own sphere of activity that in a *'mal-i-salih* or righteous deeds expected of man under the Quranic injunction, 'Believe and work righteously' which sums up the entire social and cultural process of Islam.

The Qur'an and the Hadith place little value on any attempt at individual perfection which at the same time does not promote the perfection in other human beings and mutual relations. Allah says:

وَالْعَصْرِ ﴿١﴾ إِنَّ الْإِنسَانَ لَفِي خُسْرٍ ﴿٢﴾ إِلَّا الَّذِينَ ءَامَنُوا وَعَمِلُوا
الصَّالِحَاتِ وَتَوَاصَوْا بِالْحَقِّ وَتَوَاصَوْا بِالصَّبْرِ ﴿٣﴾

"By the time Verily man is in loss but not those who believe and work righteous deeds, and enjoin upon each other the truth and enjoin upon each other steadfastness." (al 'Asr)

It emphasizes over and over again that mere belief in Allah without work appropriate to that belief is no belief at all. Mere theoretical perception of the essence of Divinity or contemplation is barren, if it does not generate volition or give movement to human life in consonance with the qualities or attributes of that essence. Likewise, spiritual exercises of certain religious orders how interesting they might be will not build their character but the exercises of the mind, if they do not sub-serve a dynamic moral existence for man. This dynamic morality again

is not possible for one who seeks his individual spiritual salvation through the life of the cloister or the cave, or for one who through the abnegation of his body fancies his duty to lie in merely ‘nursing his soul’ the vicegerency of Allah on earth, the role assigned to man by the Qur’an,

وَإِذْ قَالَ رَبُّكَ لِلْمَلٰٓئِكَةِ اِنِّىْ جَاعِلٌ فِى الْاَرْضِ خَلِيْفَةً ۚ

“And recall when the Rabb said to the angels: surely I am going to place a vicegerent on the earth”

(al Baqarah 2:30)

Is not possible to fulfill for such types on the other hand, the possibility is for him who imbues himself with Divine attributes to the best of his ability. A process of equipment so earnestly recommended to man by al-Nabiyy ﷺ of Islam and manifests them harmoniously in devoted service to himself and his fellow beings. All creatures of Allah say al-Nabiyy ﷺ, ‘Form the family of Allah and dearest of the creations of Allah is who the best to creatures is’ and exclaims:

عن عبد الله و انس قال: قال رسول الله ﷺ الخلق

عِيَالُ اللَّهِ فَاَحَبُّ الْخَلْقِ اِلَى اللَّهِ مَنْ اَحْسَنَ اِلَى عِيَالِهِ

“Abd Allah and Anas reported that Rasul-Allah ﷺ said: The creation is the family of Allah so the dearest of the creations of Allah is he who is the best to his family.”

Islam, states al-Nabiyy ﷺ, ‘demands a united life for man and adds; ‘unity is blessed; disunity is misery’ He therefore recommends: in loving devotion to Allah, lives a united life as brethren unto each other.

In this advice, the twin principles of life to be kept in view by man are referred to together, the movement forward to be attained by conforming to the laws of life or the ways of Allah; and the promotion of unity to be secured through mutual affection between man and man and tenderness towards every living object, or by attending devotedly to what is called (*haquq Allah*), on the one hand or the rights of Allah or obligations to Allah by practising purity in personal life, and (*haquq al ‘ibad*) on the other, or the rights of mankind or obligations to other by practising purity in human relations both were assigned by Allah. Islam points out that it is along this road or by observing purity within and purity in external relations, both at the individual and the community level that the happiness of the human race is to be achieved. Imam Ibn Taimiyyah said:

ان الحقوق قسمان: حق لله وحق لعباد فحق الله ان نعبد ولا نشرك به شيئاً، كما جاء لفظه في أحد الحديثين، وهذا معنى اخلاص العمل لله، كما جاء في الحديث الآخر: حقوق العباد قسمان: خاص و عام، اما الخاص فمثل: بركل انسان والديه، وحق زوجته، وجاره، فهذه من فروع الذين، لأن المكلف قد يغلو عن وجوبها عليه، ولأن مصلحتها خاصة فردية.

وأما الحقوق العامة فالناس نوعان: رعاه و رعية فحقوق الرعاه مناصحتهم، و حقوق الرعية لزوم جماعتهم، فان مصلحتهم لا تتم الا باجتماعهم، وهم لا يجتمعون على ضلاله، بل مصلحه دينهم و دنياهم في اجتماعهم و اعتصامهم بحبل الله جميعاً، فهذه الخصال تجمع اصول الذين

Indeed, the rights [duties] are of two types, duties to Allah and duties to His slaves. Thus, the duty to Allah is that we worship Him only and do not ascribe any partner to Him as has been narrated in one of the Hadith it is the meaning of *ikhlas*, to worship Him sincerely as has been narrated in another Hadith. Duties to mankind are of two kinds, general and specific so far as the specific duties are concerned, it comprises that, and one should behave gently with one's parents, his wife and neighbours. Thus these duties are among the supplementary [deeds] of Islam, because the man is free whether he performs these duties are not. As for the general duties are concerned, men are of two kinds rulers and their subjects thus the duties of rulers are to be sincere in intentions and duties of subjects are remain united as their common welfare of world and Hereafter is attached with unity and they can not unite on error they should strictly follow religion (*habl Allah*) these are the fundamentals of religion.¹

The Qur'an therefore points out that man has to move on in life with a steady eye on the need of advance for every other living object. That is the way to fulfill one's role as the vicegerent of Allah on earth and help mankind to grow, as is Rasul-Allah's ﷺ evident wish 'into a fold every member of which shall be a shepherd or keeper unto every other and be accountable for the welfare of the entire fold' that is the order of life towards which mankind will have to move, if an order of civilization worthy for human life is to be established on earth to fulfill the purposes implicit in the creation of man.

The *Sunnat al Allah*, or the way of Allah, it may be pointed out, is not to express any Divine attribute singly. Even when it gives us such an impression, it is always blended with every other, the expression bearing in every case, the over-all impress of His all pervading attribute of mercy.

وَرَحْمَتِي وَسِعَتْ كُلَّ شَيْءٍ ۚ

‘My mercy encompassed every thing’ (al A‘raf 7:156) and man has to give this touch of mercy to every aspect of his relation with his fellow creations. The qualities imbibed of Allah should therefore be expressed in harmonious relations to each other, although in so doing a particular quality may, in a particular situation or a particular role, become more manifest than every other, it is why, those who undertake this great journey of life in the light of the Quranic directions are not all grouped together under a single category. The Qur’an speaks of several types of travelers traversing the path of Allah, according to the manner in which they display Divine attributes in their onward march. These types are severally addressed as *salhin*, *muttaqin*, *muslmin*, *muqsatin*, *sabrin*, *shakirin*, *muhsinin*, *sidiqin*, *sadiqin*, *awliya*, *muqrabin*, and so on. But this is to be observed that one common purpose binds them all together, the essential purpose of displaying in their lives the ‘balance and harmony’ dwelling in the Divine scheme of things.

As against this order favoured by the Qur’an there stands the opposite order of those upon whom the Qur’an looks with distinct disfavour. They are those who disturb the ‘balance and harmony’ that should subsist in life, and create mischief in the earth. They too are classified, by the particular quality of the evil they display in their activity, into several categories *kafirin*, *mushrikin*, *zalimin*, *muhsidin*, *ghafilin*, *munafiqin* and so forth.

The types of people favoured by the Qur’an are by no means exclusive types. They are classified differently simply on the basis of the Divine attribute, one displays in one’s activity more noticeably than any other. Indeed the larger the number of attributes one displays more or less in equal measure, one blending into every other, the greater one’s capacity to discharge one’s responsibilities as the vicegerent of Allah on earth, and consequently the higher one’s station in life.²

According to the Qur’an and the Hadith self-perfection is unattainable unless it is sought with an eye on the happiness and perfection of society at large. In the field of human activity, every move made by man in his personal interests should operate for the good of others as well. These disciplines are regarded as *Arkan-i-Islam* ‘pillars of the faith’, and they are:

1. The oneness of Allah.
2. *Salah* at stated hours.

3. *Sawm* for a month every year.
4. The payment of the prescribed *zakah* as it is called.
5. Presence at least once in ones life time at Makkah for *hajj*.³

٢٠- وَصَرَّحْنَا سَهْلُ بْنُ غَفَّانَ الْقَسْكَرِيُّ حَدَّثَنَا يَحْيَى بْنُ زَكَرِيَّاءَ حَدَّثَنَا سَعْدُ بْنُ طَارِقٍ قَالَ حَدَّثَنِي سَعْدُ بْنُ عُثَيْبَةَ الشَّلَيْمِيُّ عَنْ ابْنِ عُصَمَرٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ نَبِيُّ الْإِسْلَامِ عَلَى حَقْنِي عَلَى أَنْ يُعْبَدَ اللَّهُ وَيُكْفَرَ بِمَا دُونَهُ وَإِقَامِ الصَّلَاةِ وَإِيتَاءِ الزَّكَاةِ وَحَجِّ الْبَيْتِ وَصَوْمِ رَمَضَانَ ❀

Except *zakah* and *hajj* about which we all know that they are not merely an individual affair, this writer will draw particular attention regarding the first two (*arkan*) pillars, the two disciplines may seem to be personal affairs of the individual. But so is not the view which the Qur'an takes of them. Allah does not need any encomiums from man, a mere thing of His creation. He does not need to be praised. He is above all praise. So states the Qur'an, *salah* is intended to purify the individual himself and stimulate in him the sense of service to others or to enable him, in the words of Rasul-Allah ﷺ to show affection to the family of Allah. In fact, according to the Qur'an, *salah* offered as a matter of mere formality is no *salah* at all. Asks the Qur'an:

أَرَأَيْتَ الَّذِي يُكَذِّبُ بِالدِّينِ ۚ فَذَلِكَ الَّذِي يَدْعُ الْاِتِّيمَ ۚ وَلَا يَخْضُ عَلَى طَعَامِ الْمُسْكِينِ ۚ فَوَيْلٌ لِلْمُصَلِّينَ ۚ الَّذِينَ هُمْ عَنْ صَلَاتِهِمْ سَاهُونَ ۚ الَّذِينَ هُمْ يُرْءَاوْنَ ۚ وَيَمْنَعُونَ الْمَاعُونَ ۚ

Has you marked him who beneath faith? He it is who thrust away the orphan. And urges not others to feed the poor. Fie on those who engage themselves in *salah*, but are needless of what they pray; who make a show of devotion, yet refuse help to the needy.

(al Ma'un 107:1-7)

The Qur'an makes it clear that *salah* by itself is not a pious action, if it does not generate in the person the sense of service to other. Observes the Qur'an:

لَيْسَ الْبِرَّ أَنْ تُولُوا وَجُوهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ
وَلَكِنَّ الْبِرَّ مَنْ ءَامَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَآلَمَاتِ الْكِتَابِ
وَالَّذِينَ عَلَىٰ حُبِّهِ ذَوِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ
وَابْنِ السَّبِيلِ وَالسَّائِلِينَ وَفِي الرِّقَابِ وَأَقَامَ الصَّلَاةَ وَءَاتَى الزَّكَاةَ
وَالْمُوفُونَ بِعَهْدِهِمْ إِذَا عَاهَدُوا وَالصَّابِرِينَ فِي الْبَأْسَاءِ وَالضَّرَّاءِ
وَحِينَ الْبَأْسِ أُولَئِكَ الَّذِينَ صَدَقُوا وَأُولَئِكَ هُمُ الْمُتَّقُونَ ۝

There is no piety in turning your faces towards the east or the west. But he is pious who believe in Allah, and the day of recompense and in the *Malayyak* (angels) and the scriptures, and the *Anbiya'*, who for the love of Allah disburs his wealth to his kindred, and to the orphans, and the needy, and the way farer and whose who ask and for redeeming the slave, who observe *salah*, and pay the *zakah*, and who is of those who are faithful to their engagements when they have engaged in them and endure in patience, poverty, sickness and perils these are they who are staunch in their faith, and these are they who truly fear the Rabb. (al Baqarah 2:177)

It will thus be seen that Islam does not treat religion as an excessively individual and private affair. Religion has to develop the human mind to spiritualize not only his activity as an individual but as an important component of the society as whole.

Social system in Islam

When it is claimed that every thing is provided and explained by Islam, it is a comprehensive system, does it mean that all geographical biological chemical and physical facts have been discussed therein? No certainly not, every subject has to fix and define its basic unit which is considered to have an independent existence in the system of that subject. Thus, there must be a primary unit of social system. Only it is possible to discuss the socio-cultural phenomena including that of change when we use the word 'thing' in the context of a social system, we always mean the primary unit of social system.

Meaningful social interaction is the unit of a social system. The most generic model of any socio-cultural phenomenon is the meaning or symbolic interaction of two or more individuals. By 'interaction' is meant any event by which one party tangibly influences the overt actions or the state of mind of the other. Meanings and values are superimposed upon the bio-physical properties of interacting persons. In the domain of the rights of man (*haquq al 'ibad*) both the interacting parties are human beings; but in case of rights of Allah (*haquq Allah*) one other party is Allah. There may be meaningless interaction. Talcott Parsons says:

The interaction of ego (active person) and alter (passive person) makes a social system. In interaction we find the basic process which provides the seed of what we call on human level personality and social system. Interaction of elementary orientation of action on the human level involves the symbolization. A

symbolic system of meanings is an element of order imposed as it were on a realistic situation.⁴

Imam Ibn Taimiyyah has written a complete book on the exhaustive and thorough nature of Islamic social system. The title of the book is *Ma'arj al Asul*. He has devoted a separate chapter to prove that the principles and details regarding every walk of human life have been given by Rasul-Allah ﷺ.

فى ان رسول الله بين جميع الدين اصوله وفروعه باطنه وظاهره
علمه وعمله فان هذا الأصل هو أصل أصول العلم والإيمان، وكل من كان
اعظم اعتصاماً بهذا الأصل كان أولى بالحق علماً وعملاً

Chapter to discuss that Rasul-Allah described all the principles and details of religion, its latent and its manifest, its knowledge and its practice, for this is the basic tenet of knowledge and faith, and whoever has the greatest attachment with these basis is nearest to the truth.⁵

He says:

وأكثر المتأخرين الذين لم يعرفوا ذلك فطلبوا الحكم لما اعتقدوه من إجماع أو قياس ومن
التأخرين أن الإجماع مستند معلم السريعة فقد أخبر عن حاله فإنه تنقص معرفته
بالكتاب والسنة احتياج إلى ذلك وهذا قولهم أن أكثر العوارث يحتاج فيها إلى
القياس لعدم دلالة النصوص عليها فأنما هذا قول من لا معرفه له بالكتاب والسنة
ودلالتهما على الأحكام وقد قال الإمام أحمد أنه ما من مسئلة إلا وقد تكلم فيها الصحابة أوفى
نظيرها فإنه لما فتحت البلاد وانتشر الإسلام حدثت جميع أجناس الأعمال فتكلموا فيها بالكتاب والسنة.

And many of those who care afterwards and could not understand it properly seek legal basis from *ijma'* and *qiyas*. Whoever believes that *ijma'* has got an independent position in the *Shari'ah* his understanding of the Qur'an and the Sunnah is faulty, it is like saying that in most of the sentences in which *qiyas* is resorted to, the texts of *Shari'ah* (*nasus Shari'ah*) do not provide any guidance. This can be said by a person who does not know anything about the Book, the Sunnah and the matter for which they provide guidance. Imam Ahmad Ibn Hanbal has said that there is no problematic situation which itself directly or its similitude, has not been discussed by the Companions. When the new territories were liberated and Islam spread over there, every kind of situation arose and was met by the Companions in the light of the Qur'an and the Sunnah.⁶

Imam Ibn Taimiyyah's social ideology

The Muslim community (*millat islamiyah*) is defined in terms of an all-inclusive commonwealth, so to speak which is held together by its faith in Allah and conformity to the words and example of His Rasul, Muhammad. Though, ideally, this community is one, in actually it became subject to division due to regionalism and to the non-Arabic factions of Islam as represented by the *Shu'ubbiyah* movement as early as the third century after the *hijrah*. By the time of Imam Ibn Taimiyyah, not only was the Muslim commonwealth divided into a multitude of independent Muslim states, but also internal religious and racial conflict was abundantly evident in the Syro-Egyptian state, except insofar as the advent of the crusades and the invasions of the Tatar had necessitated a unity of forces against common dangers. This need for such union, discipline and mutual understanding served to accentuate the originality of the Imam Ibn Taimiyyah's concept of the Muslim community.⁷

The most important element in understanding Imam Ibn Taimiyyah's conception of the community is the meaning of solidarity (*ta'wun*) of the Muslims. He exposed a prevalent form of 'solidarity' that is inconsistent with Islamic idea: namely a partisan kind of 'solidarity' of nation which, in the name of promoting a united front, served to underscore multiplicity over unity, and to advance the part over the whole. Imam Ibn Taimiyyah's chief criticism of that sort of solidarity which was advanced either for ethnic or ritual reasons, was precisely that it tended to militate against the greater unity of Islam, indeed it impeded the exercise of good social and political life.⁸

Imam Ibn Taimiyyah explained (*ta'wun*) in terms of the solidarity that binds together all Muslims, believers from Muhammad Rasul-Allah to the final judgement in a spirit of unity and brotherhood, in the same ideals and for the same ends. It is by this solidarity that the community formed a grand entity, where each part is strengthened by the whole, where each generation, in the continuous tradition of strict narrow morality, owes a debt of regard to that which preceded it, and has an obligation of trust to transmit to that which follows and where each group, ethnic or racial, is legitimately tolerated for what it contributes to the total unity.¹⁰

Thus the concept of solidarity appears to have two distinct forms in Imam Ibn Taimiyyah's thought, although he himself does not designate them by two

special terms, and is to be understood by analogy. It is constituted by the one Allah, *Nubbuwah* of His Rasul, and an adherence to a common body of doctrine. Such solidarity he calls solidarity of good action and of piety (*al birr wa al taqwa*) (al Ma'idah 5:2). For Imam Ibn Taimiyyah, one of the worthy principles of the (early) Muslim community (*ahl al Sunnat wal jam'at*) lies in the unity of the doctrine, which principles he puts forward in his refutation of the contradictions of the philosophers, logicians and scientific positivists. Even the problematic of the existence of four major schools of *fiqh* interpretation is explained as possessing a basic, underlying unity as did the interpretations of the Companions who were themselves divided on certain points of doctrine. The actual divergences of the *madhahib*, to which Imam Ibn Taimiyyah devoted an entire treatise under the title *ikhtilaf al ummah fi al ibadat*, is explained by the 'ulama fragmentary knowledge of the texts, by their tendency to attach excessive importance to certain elements (*ghuluw*), and in a more general way by their errors in *ijtihad*, which in themselves are not reprehensible except as they become, and they do become, imposed upon the community as truths. Moreover, these errors are less weighty at least theoretically, if one is to succeed in rediscovering for one self a relevant Quranic verse or a Hadith which would correct the error. Imam Ibn Taimiyyah further contends that such errors are not, at length, of great significance since the interpretations never concern themselves with the requirements and prohibitions (*wajibat al makruhat*) of religion, nor are they uniquely such prescriptions that may be recommended alone. And it is for these very reasons that Imam Ibn Taimiyyah urges mutual sympathy and reciprocal tolerance among the followers of the *madahib* for the sake of the greater unity which ought not to be compromised.

Ethnic aspect

The problem of Arabhood (*'arubah*) of Muslim community can be surmounted, it is true that Imam Ibn Taimiyyah not only defended the position that Arab identity of race and of language is virtually synonymous with that of the Islamic community, but vigorously demanded it.¹⁰ His argument insisted that a true knowledge of Islam depends on the Arabic language, and that a full compliance with the religion requires a thorough mastery of the language. The language itself is part of the religious framework of Islam, since the knowledge of the Qur'an and Sunnah, the understanding of which is required of every Muslim pre-requires precise knowledge of Arabic. Furthermore, since Islam is the religion of not only a corpus of doctrine but also of practical daily living, the language of the Qur'an and the Sunnah must also be the language of the mosque, the home, the street, the

house of the legislature, the place of government and the market place. He agrees that since the use of a language has psychological and moral influences upon those who use it, great care must be taken to avoid the use of the languages of non-Arabs, and, rather to preserve the purity of Arabic both in the homiletic address and in conversation. One of the significant benefits for Muslims of the use of Arabic exclusively is that it will aid them in following the early Muslims, and in so doing, they gain a greater capacity for growth in wisdom, morality and faith.

Imam Ibn Taimiyyah further prohibits the reading of the Qur'an by any man, in a language other than Arabic. 'whether he is capable of it or not' likewise, he prohibits the translation of the Qur'an, or any portion of it even if it is only one verse, into another language, because the translation of any text has the effect of weakening it, and for the Qur'an particularly, it would disclaim its miraculous inimitability (*i'jaz*).¹¹

Ethnically, too apart from the fact that Rasul Allah ﷺ was one of them, the Arabs, according to Imam Ibn Taimiyyah are a superior race. Superiority, for them, is marked by either the possession of useful knowledge (*al'ilm al naf'i*) or (the example of) doing good (*al 'amal al salih*) knowledge, on the one hand, utilizes the mind which is the centre of learning and understanding, and is capable of perfection which is the achievement of sound reasoning, which in turn is best served by the power of expression. The Arabs, he asserts have proved their superior keenness of mind and power of expression. On the other hand, action is the extension of morality, which is the achievement of sound reasoning, which in turn is best served by the power of expression, which is the sum of the (conditioned) instinct of man. Imam Ibn Taimiyyah contends that the Arabs instinctive tendency towards the good, their generosity of hand and spirit, their bravery, and their faithful loyalty have been shown through the ages to be greater than those of other races. This was true even with pre-Muhammad Arabs who were, like unploughed earth, 'already capable of good work but latent in producing it' when Muhammad Rasul-Allah ﷺ was sent by Allah to proclaim Islam, he planted in that soil the best seeds which possessed the potential for the best fruit. He tilled it, and gathered in abundant and indescribable harvests, thus achieving the perfect combination of root and fruit.

Language and ethnic origin are elements of ultimate significance in the process of human thought and action, which for Imam Ibn Taimiyyah is part of the *Shari'ah* which incorporates the thought modalities of the preceding generations of Muslim, and their manner. He observes that one Muslim community holds this role unanimously, 'He who would achieve excellence, seeks the excellent way of the Arabs who went before'.

Imam Ibn Taimiyyah's construct of the Arab as synonymous with the Islamic *ummah*, is based on Quranic internal witness in such verses as:

فَأَسْتَمِيعُ بِالَّذِي أَوْحِيَ إِلَيْكَ إِنَّكَ عَلَى صِرَاطٍ مُسْتَقِيمٍ ﴿٤٣﴾ وَإِنَّهُ
لَذِكْرٌ لَّكَ وَلِقَوْمِكَ وَسَوْفَ تُسْأَلُونَ ﴿٤٤﴾

“So hold you fast to the Revelation sent down to you: verily you are on Straight Way. The [Qur’an] is indeed the Message, for you and for your people; and soon shall ye [all] be brought to account.”

(al Zukhruf 43:43-44)

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا مِنْ تَطِيعُوا فَرِيقًا مِنَ الَّذِينَ أَوْثُوا الْكِتَابَ يَرُدُّوكُمْ

بَعْدَ إِيمَانِكُمْ كُفْرِينَ ﴿١٠٠﴾

“O you who believe if you listen to a faction among the People of the Book, they would [indeed] render you apostates after you have believed!” (al ‘Imran 3:100)

وَإِذَا جَاءَهُمْ ءَايَةٌ قَالُوا لَنْ نُؤْمِنَ حَتَّى نُؤْتَى مِثْلَ مَا أُوتِيَ رُسُلُ اللَّهِ

أَعْلَمَ حَيْثُ يَجْعَلُ رِسَالَتَهُ سَيُصِيبُ الَّذِينَ أَجْرَمُوا صَغَارٌ عِنْدَ اللَّهِ

وَعَذَابٌ شَدِيدٌ بِمَا كَانُوا يَمْكُرُونَ ﴿١٣٤﴾

When there comes to them a sign [from Allah], they say: We shall not believe until we receive one [exactly] like those received by Allah's *Rusul*. Allah knows best where [and how] to carry out His mission. Soon will the wicked be overtaken by humiliation before Allah, and a severe punishment, for all their plots. (al An‘am 6:124)

Further evidence is traced in the Hadith, for example, al Tirmidhi has reported that Rasul-Allah ﷺ said:; (Allah) created me, He made me the (best) choice (*khayr*) of his creatures; when He formed the tribes, He made me (a member) of the best of tribes; when He created the souls, He made me one of the best of their souls; then when he created the clans (*buyut*) He made me of their best. I am, therefore, the choice of clans and of souls.

عَنْ عَبْدِ اللَّهِ بْنِ الْخَارِثِ عَنْ الْعَبَّاسِ بْنِ عَبْدِ الْمُطَّلِبِ قَالَ قُلْتُ يَا رَسُولَ اللَّهِ إِنَّ فَرِيضًا جَلَسُوا فَتَذَاكَرُوا أَخْنَابَهُمْ
بَيْنَهُمْ فَجَعَلُوا مَقْلَكَ مِثْلَ نَخْلَةٍ فِي كَبُورٍ مِنَ الْأَرْضِ فَقَالَ النَّبِيُّ ﷺ إِنَّ اللَّهَ خَلَقَ الْخَلْقَ فَجَعَلَ مِنْ
خَيْرِهِمْ مِنْ خَيْرٍ فِرْقَتَهُمْ وَخَيْرَ الْفَرِيقَيْنِ ثُمَّ تَخَيَّرَ الْقَبَائِلَ فَجَعَلَ مِنْ خَيْرِ قَبِيلَةٍ ثُمَّ تَخَيَّرَ الْبُيُوتَ فَجَعَلَ
مِنْ خَيْرِ بُيُوتِهِمْ فَأَنَا خَيْرُهُمْ نَفْسًا وَخَيْرُهُمْ نَبِيًّا ❁

.....’Abbas has reported that, al-Nabiyy said: Allah created creature and made me the best choice of His

creatures; when he formed the tribes He made me (member) of the best tribe; when He created the souls, he made me one of the best of their souls; then when He created the clans He made me of their best. I am therefore, the choice of clans and of souls.¹²

In the body of the law (*fiqh*), Imam Ibn Taimiyyah finds ample evidence for the leadership of the Arabs in the political and religious affairs of nations, and suggests further that their Arabization is a religious imperative. This is because religion stands upon word and work. Arabic *fiqh* is the way that leads to the understanding of the word and the *fiqh* of the example (Sunnah) leads to the knowledge of its required action. He quotes al Shafi'i's statement in *al Risalah* [Allah] decreed that (His people) preach particularly unto them (the people of Rasul-Allah ﷺ) in their Arabic tongue, which is also their tongue. It is the duty of every Muslim to learn the Arabic language. Imam Ibn Taimiyyah points out that this was the ruling of other legists, 'including Ahmad Ibn Hanbal, Ishaq Ibn Ibrahim, 'Abd Allah Ibn al Zubayr, Sa'id Ibn Mansur, and others whom we have known or consulted.¹³

Important component of the discussion of the Arabhood of the Muslim community, however, is, according to the argument of Imam Ibn Taimiyyah that it is less essential for a Muslim to be of Arab descent than it is for him to know the Arabic language. This is based on the saying of Rasul-Allah ﷺ:

يَا أَيُّهَا النَّاسُ إِنَّ رَبَّ وَاحِدٌ، وَالْأَبَ وَاحِدٌ، وَالْدِينَ وَاحِدٌ إِنَّ الْعَرَبِيَّةَ لَيْسَتْ
لَا أَحَدَكُمْ بِأَبٍ وَلَا أُمَّ إِنَّمَا عَنْ لِسَانٍ فَمَنْ تَلَكَّمِ الْعَرَبِيَّةَ فَهُوَ عَرَبِيٌّ.

O! Mankind 'the Rabb is one; the father (Adam) is one: religion is one. Arabhood (*al Arabiyyah*) is neither father nor mother (not genealogically inherited); rather it is a tongue. He who speaks it is an Arab.¹⁴

It is at this very point, namely that Arabhood (*arubah, arabiyyah*) is not racially defined, that Imam Ibn Taimiyyah offers a convincing argument that serves to demonstrate that the Muslim community is far greater than being merely Arab in ethnicity.

He begins his own counter argument, so to speak, by demonstrating that being an Arab does not always guarantee one's eligibility for the faith and life of Islam. Arabs, he acknowledges, are divided; and some of them are of no avail [to Islam] (*ahl jufa*) he cites the Qur'an also:

الْأَعْرَابُ أَشَدُّ كُفْرًا وَنِفَاقًا وَأَجْدَرُ أَلَّا يَعْلَمُوا حُدُودَ مَا
 أَنْزَلَ اللَّهُ عَلَى رَسُولِهِ ۗ وَاللَّهُ عَلِيمٌ حَكِيمٌ ﴿٩٧﴾ وَمِنَ الْأَعْرَابِ مَن
 يَتَّخِذُ مَا يُنْفِقُ مَغْرَمًا وَيَتَرَبَّصُّ بِكُمُ الدَّوَائِرَ عَلَيْهِمْ دَائِرَةُ
 السَّوْءِ ۗ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿٩٨﴾

The Arabs of the desert are the worst in unbelief and hypocrisy, and most fitted to be in ignorance of the command which Allah has sent down to His Rasul but Allah is All-Knowing, All-Wise. Some of the desert Arabs look upon their payments as a fine, and watch for disasters for you: on them is the disaster of Evil: for Allah is He that hears and know [all things].

(al Taubah 9:97-98)

It is as though the superiority of the Arabs race, Imam Ibn Taimiyyah implies, reveals itself in a negative way, i.e. if anyone is more capable of disbelief and hypocrisy, it is also the Arabs. On the day of judgement they will use the exercise of their superiority in economic competence and their ethnic loyalty as their excuse for not believing Rasul-Allah ﷺ and his message. They will plead with him, the Qur'an warns:

سَيَقُولُ لَكَ الْمُخَلَّفُونَ مِنَ الْأَعْرَابِ شَغَلَتْنَا أَمْوَالُنَا وَأَهْلُونَا فَاسْتَغْفِرْ لَنَا
 يَقُولُونَ بِالسَّيْنَةِ الَّتِي فِي قُلُوبِهِمْ قُلْ فَمَنْ يَمْلِكُ لَكُمْ مِنَ اللَّهِ شَيْئًا
 إِنْ أَرَادَ بِكُمْ ضَرًّا أَوْ أَرَادَ بِكُمْ نَفْعًا بَلْ كَانَ اللَّهُ بِمَا تَعْمَلُونَ خَبِيرًا
 ﴿٩٩﴾ بَلْ ظَنَنْتُمْ أَنْ لَّنْ يَنْقَلِبَ الرَّسُولُ وَالْمُؤْمِنُونَ إِلَىٰ أَهْلِيهِمْ أَبَدًا
 وَزَيَّنَ ذَلِكَ فِي قُلُوبِكُمْ وَظَنَّتُمْ ظَنًّا سَوْءًا وَكُنْتُمْ قَوْمًا بُورًا ﴿١٠٠﴾

The desert Arabs who lagged behind will say to you: We were engaged in [looking after] our flocks and herds, and our families: do you then ask Forgiveness for us, they say with their tongues what is not in their hearts. Say: Who then has any power at all [to intervene] on your behalf with Allah, if His Will is to give you some loss or to give you some profit? But Allah is well acquainted with all that you do. Nay, you thought that the Rasul and the Believers would never return to their families; this seemed pleasing in your hearts, and you conceived an evil thought, for you are a people lost [in wickedness].

(al Fatah 48:11-12)

Imam Ibn Taimiyyah's intellectual honesty drives him to point further to the unprejudiced witness of the Qur'an:

وَمِنَ الْأَعْرَابِ مَن يَتَّخِذُ مَا يُنْفِقُ مَغْرَمًا وَيَتَرَبَّصُّ
بِكُمْ الدَّوَاءَ عَلَيْهِمْ دَائِرَةُ السَّوْءِ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿٩٨﴾ وَمِنَ
الْأَعْرَابِ مَن يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيَتَّخِذُ مَا يُنْفِقُ قُرْبَانًا
عِنْدَ اللَّهِ وَصَلَوَاتِ الرَّسُولِ أَلَا إِنَّهَا قُرْبَانٌ لَّهُمْ سَيَدْخِلُ اللَّهُ فِيهِ
رَحْمَتَهُ إِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ ﴿٩٩﴾ وَالسَّادِقُونَ الْأَوَّلُونَ مِنَ الْمُهَاجِرِينَ وَالْأَنْصَارِ وَالَّذِينَ اتَّبَعُوهُمْ بِإِحْسَانٍ
رَّضِيَ اللَّهُ عَنْهُمْ وَرَضُوا عَنْهُ وَأَعَدَّ لَهُمْ جَنَّاتٍ تَجْرِي تَحْتِهَا الْأَنْهَارُ
خَالِدِينَ فِيهَا أَبَدًا ذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٠٠﴾ وَمِمَّنْ حَوْلَكُم مِّنَ الْأَعْرَابِ
مُتَنَفِّقُونَ وَمِنْ أَهْلِ الْمَدِينَةِ مَرَدُوا عَلَى النِّفَاقِ لَا تَعْلَمُهُمْ نَحْنُ نَعْلَمُهُمْ
سَنُعَذِّبُهُمْ مَّرَّتَيْنِ ثُمَّ يُرَدُّونَ إِلَىٰ عَذَابٍ عَظِيمٍ ﴿١٠١﴾

Some of the desert Arabs look upon their payments as a fine, and watch for disasters for you: on them is the disaster of Evil: for Allah is He that hears and knows [all things]. But some of the desert Arabs believe in Allah and the Last Day, and look on their payments as pious gifts bringing them nearer to Allah and obtaining the bounties of the Rasul. Lo, indeed they bring them nearer [to Him]: soon will Allah admit them to His Mercy: for Allah is Oft-Forgiving, Most Merciful. The vanguard [of Islam], the first of those who forsook [their homes] and of those who gave them aid, and [also] those who follow them in [all] good deeds, well-pleased is Allah with them, as are they with Him: for them has He prepared Gardens under which rivers flow, to dwell therein forever: that is the supreme Felicity. Certain of the desert Arabs round about you are Hypocrites, as well as [desert Arabs] among the Madinah folk: they are obstinate in hypocrisy: you knows them not: We know them: twice shall We punish them: and in addition shall they be sent to a grievous Penalty. (al Taubah 9:98-101)

Likewise, conversely, non-Arabs (*al 'Ajam*) i.e. Persians, Romans, Turks, Berbers, Abyssinians, etc may be divided into believers and unbelievers, righteous and unrighteous, the Qur'an once more is cited in favour of non-Arab believers:

هُوَ الَّذِي بَعَثَ فِي الْأُمِّيِّينَ رَسُولًا مِنْهُمْ يَتْلُو عَلَيْهِمْ آيَاتِهِ وَيُزَكِّيهِمْ
وَيُعَلِّمُهُمُ الْكِتَابَ وَالْحِكْمَةَ وَإِنْ كَانُوا مِنْ قَبْلُ لَفِي ضَلَالٍ مُبِينٍ ﴿٢﴾
وَأَخْرَجَ مِنْهُمْ لِمَا يَلْحَقُوا بِهِمْ وَهُوَ الْعَزِيزُ الْحَكِيمُ ﴿٣﴾

It is He Who has sent amongst the Unlettered a Rasul from among themselves, to rehearse to them His Signs, to sanctify them, and to instruct them in Scripture and Wisdom, although they had been, before, in manifest error; As well as [to confer all these benefits upon] others of them, who have not already joined them: and He is Exalted in Might, Wise. (al Jumu'ah 62:2-3)

Imam Ibn Taimiyyah's use of the Quranic verse capitalizes on the universality of the message of Rasul-Allah ﷺ the recipients of this message of necessity, includes those who are 'illiterate' which according to Imam Ibn Taimiyyah's reading of the content, and refers to non-Arabs. Muhammad Rasul-Allah's ﷺ point of identification with those is that he himself was unschooled more importantly; Allah's purpose in the racial diversity within the order of his creation is clearly given:

يَتَأْتِيهَا النَّاسُ إِنَّا خَلَقْنَاهُمْ مِنْ ذَكَرٍ وَأُنْثَىٰ وَجَعَلْنَاهُمْ شُعُوبًا وَقَبَائِلَ
لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتَقَنُّكُمْ إِنَّ اللَّهَ عَلِيمٌ خَبِيرٌ ﴿١٣﴾

O Mankind! We created you from a single [pair] of a male and a female, and made you into nations and tribes, that you may know each other [not that ye may despise each other]. Verily the most honoured of you in the sight of Allah is [he who is] the most righteous of you. And Allah has full Knowledge and is well-acquainted [with all things]. (al Hujurat 49:13)

For one race to know another transcends all distinctions, and offers an opportunity for righteousness to flourish.

The Hadith is also called upon to vindicate the worth of non-Arabs. Rasul-Allah ﷺ is authoritatively reported to have said in a sermon: O! People, behold, your Rabb is one: behold, your father is one; behold, there is no more merit in a black man than in a red man except insofar as piety is concerned. Have you not made (this) known? They said 'yes' He said: 'Let him who is present tell it to him who is absent'.¹⁵

يا ايها الناس الا ان ربكم عز وجل واحد الا ان اباكم واحد الا لا فضل لعربي على عجمي
الا لا فضل لاسود على حمراه بالتقوى الا قد بلغت؟ قالوا نعم قال ليبلغ الشاهد لگائب .

O! People, behold, your Rabb is one: behold, your father is one; behold, there is no more merit in a black man than in a red man except insofar as piety is concerned. Have you not made (this) known? They said ‘yes’ He said: ‘Let him who is present tell it to him who is absent’.¹⁵

In another Hadith ‘Amr, reported that, Rasul-Allah said: the sons of a certain man are not [necessarily] my relatives. Allah is my patron, and [so are] the righteous believers.¹⁶

لَيْسُوا بِأَوْلِيَّائِي إِنَّمَا وَلِيِّيَ اللَّهُ وَصَالِحُ الْمُؤْمِنِينَ

“My supporters and helpers are Allah and righteous believers.”¹⁷

Faith and righteousness are available to any man: as the Rasul-Allah ﷺ said, ‘if religion is in Pleiades, it may be reached even by one of the sons of Persia’. The reference is explicitly to non-Arabs, and may be based on the Quranic verse.

وَإِنْ تَتَوَلَّوْا يَسْتَبْدِلْ قَوْمًا غَيْرَكُمْ ثُمَّ لَا يَكُونُوا أَمْثَلَكُمْ

“If you turn back [from the Path], He will substitute in your stead another people; then they would not be like you!”
(Muhammad 47:38)

As interpreted by Muhammad Rasul-Allah ﷺ himself to indicate Persian Muslims. In this regard, Imam Ibn Taimiyyah’s conclusion is the same: the very existence of the Islamic community depends on a kind of solidarity that is larger than the solidarity of its segments against one another. He reminds all Muslims of the Quranic exhortation:

وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا وَاذْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ إِذْ
كُنْتُمْ أَعْدَاءً فَأَلَّفَ بَيْنَ قُلُوبِكُمْ فَأَصْبَحْتُمْ بِنِعْمَتِهِ إِخْوَانًا وَكُنْتُمْ عَلَى
شَفَا حُفْرَةٍ مِنَ النَّارِ فَأَنْقَذَكُمْ مِنْهَا كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ
تَهْتَدُونَ

And hold fast, all together, by the Rope which Allah [stretches out for you], and be not divided among yourselves; and remember with gratitude Allah's favour

on you; for you were enemies and He joined your hearts in love, so that by His Grace, ye became brethren; and ye were on the brink of the Pit of Fire, and He saved you from it. Thus does Allah make His Signs clear to you: that you may be guided. (al ‘Imran 3:103)

And places before them Rasul-Allah’s ﷺ model for the unity of the *ummah*: ‘The believers’ mutual friendship, kindness, and caring is like unto that of the members of one body, wherein if one complained, the others suffer with fever, and rush in with attentive watching.¹⁸

حدثنا محمد بن عبد الله بن نمير حدثنا أبي حدثنا زكرياء عن الشعبي عن الثعلبي بن بشير قال قال رسول الله صلى الله عليه وسلم مثل المؤمنين في توادهم وتراحمهم وتعاطفهم مثل الجسد إذا اشتكى منه عضو تداعى له سائر الجسد بالسهر والحمى حدثنا إسحاق الخنطلي أخبرنا جرير عن مطرف عن الشعبي عن الثعلبي بن بشير عن النبي صلى الله عليه وسلم ينحويه

Nu'man Ibn Bashir reported that, Rasul Allah said: you will see the believers in their mutual kindness, love and sympathy just like one body when a limb complains, the whole body responds to it with wakefulness and fever.¹⁹

Imam Ibn Taimiyyah has resolved with both scholarly integrity and personal fairness the superficial conflict between the Muslim community and Arab racial identity, what of the problematic of language? He has shown enough tolerance, without compromising the Islamic principle.

While he insists that Arabic is indispensable for the knowledge of Islam, as it is the language of the Qur'an and the Sunnah, and as it is the emblem (*shi'ar*) of the *ummah*, and that curious investigation of other languages could have its undesirable influence upon the mind of the investigator as well as upon the unity of the culture itself. Imam Ibn Taimiyyah's argument of the interrelationship between the intention (*niyyah*) and the formulae (*lafz*) in matters of religious ritual and law may be deduced to contribute toward an understanding of how the conflicts of language and faith may be addressed. The intention fulfilled according to Imam Ibn Taimiyyah is far more effectual than the verbal expression of it. Likewise, the intention to believe and to carry out the implications of the Islamic faith in the context of the Muslim community is of more serious consequence than the verbal mastery of it.²⁰

Imam Ibn Taimiyyah's notion of 'solidarity' however, goes beyond the geographic, ethnic, doctrinal or linguistic solidarity for him, it is an organic unity that supports a common goal (*maqsad*), and the participation of every member of the community in the realization and fulfillment of that goal, within his limitations

and without the distinction of the external responsibility. It is that goal of this community which will distinguish it as the greatest of all communities and nations; for it is a community of justice which commands the good and denounces evil (*al amr bil maruf wal nahi 'an al munkar*).²¹

It is the duty of each member of the community as an expression of this solidarity, to uphold his fellow when he does well, and insofar as he has influence, to correct him when he violates the law of the community through verbal admonition and, in the event that he is not able, through the firm intentions of his heart. Each member of the community is held responsible, as he sees the need, to offer good counsel (*nasiyah*), fraternal corrective direction (*wa'z*) and an invitation to the right (*da'wah*). This latter duty, namely the mission of every Muslim in which seen by Imam Ibn Taimiyyah, the element of *Nubbuwah*, is of utter necessity to the life of the community, if it is to achieve cohesion. This moral solidarity which is required of the faithful in the element capable of making this community Allah's witnesses on earth (*shuhada Allah fil ard*). This for Imam Ibn Taimiyyah is the meaning of Rasul-Allah's ﷺ analogy of the 'one body' where in each member shows care for the other. It is the same idea inherent also in the analogy of an edifice, wherein the elements reinforce one connected to and through the hand. Mutual expectations of Muslims are listed, not by way of enumeration but for the demonstration of inclusiveness, in the Rasul-Allah's ﷺ sayings: Six obligations are owed by the Muslims to his fellow Muslim: To greet him if he meets him, to visit him if he falls ill, to wish him joyous victory over his enemies if he sneezes, to answer him if he calls and to escort him (to his final resting place) when he dies, desires for him what he desires for himself.

٤٢٣ حدثنا يحيى بن أيوب وفقهنا وابن حجر قالوا حدثنا إسماعيل وهو ابن جعفر عن العلاء عن أبيه عن أبي هريرة أن رسول الله صلى الله عليه وسلم قال حق المسلم على المسلم ست قيل ما هن يا رسول الله قال إذا لقيته فسلم عليه وإذا دعاك فأجبه وإذا استنصحك فانصح له وإذا عطس فخمده الله فسمته وإذا مرض فعده وإذا مات فاتبعه ❀

Abi Hurairah reported that, Rasul Allah said: the rights of a Muslim upon Muslim are six. It was questioned what are those O Rasul Allah? He replied: when you meet him, salute him, and when he calls you, respond to him and when he seeks advice, give him advice, and when he sneezes and praises Allah, respond to him and when he falls ill, visit him and when he dies, follow him (take him to graveyard).²²

٤٢٤ حدثنا محمد بن النعمان وابن بشر قالوا حدثنا محمد بن جعفر حدثنا شعبة قال سمعت قتادة يحدث عن أنس بن مالك عن النبي صلى الله عليه وسلم قال لا يؤمن أحدكم حتى يحب لأخيه أو قال يجاره ما يحب لنفسه ❀

“Anas Ibn Malik reported that, al-Nabiyy said: No one (of you) is a believer until he desires for his brother or neighbour what he desires for himself”.²³

المُسْلِمُ أَخُو الْمُسْلِمِ لَا يَظْلِمُهُ

“The Muslim is the brother of the Muslim: he shall neither abandon him nor oppress him.”²⁴

This bond commands mutual service and mutual support. The exhortation is repeated.

وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا وَاذْكُرُوا نِعْمَتَ اللَّهِ عَلَيْكُمْ إِذْ كُنْتُمْ أَعْدَاءً فَأَلَّفَ بَيْنَ قُلُوبِكُمْ فَأَصْبَحْتُمْ بِنِعْمَتِهِ إِخْوَانًا وَكُنْتُمْ عَلَى شَفَا حُفْرَةٍ مِنَ النَّارِ فَأَنْقَذَكُمْ مِنْهَا كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَهْتَدُونَ ﴿١٠٣﴾

And hold fast, all together, by the Rope which Allah [stretches out for you], and be not divided among yourselves; and remember with gratitude Allah's favour on you; for you were enemies and He joined your hearts in love, so that by His Grace, you became brethren; and you were on the brink of the Pit of Fire, and He saved you from it. Thus does Allah make His Signs clear to you: that you may be guided. (al ‘Imran 3:103)

And Allah declared the Rasul-Allah’s ﷺ abandonment of those who are divisive in the community of faith, thus excluding themselves from it.

إِنَّ الَّذِينَ فَرَّقُوا دِينَهُمْ وَكَانُوا شِيَعًا لَسْتَ مِنْهُمْ فِي شَيْءٍ إِنَّمَا أَمْرُهُمْ إِلَى اللَّهِ ثُمَّ يُنَبِّئُهُم بِمَا كَانُوا يَفْعَلُونَ ﴿١٠٩﴾

“As for those who divide their religion and break up into sects, you have no part in them in the least: their affair is with Allah: He will in the end tell them the truth of all that they did.” (al An‘am 6:159)

The entire doctrine of the *ummah*, therefore, is set within the context of moral solidarity which is founded on the unity of Allah’s purpose to advance the good and eradicate evil. When some men depart from any portion of Allah’s commandment, division and hostility sets in among them, says Imam Ibn

Taimiyyah. And when men are divided, they become corrupt or perish: but if they are bound together for a common end, they are reconciled and prosper. In solidarity there is salvation (*rahmah*), and in division destruction (*adhab*).²⁵

To do good and to refrain from doing evil, is the task before which all members of the community of faith and justice stand equally responsible and are mutually accountable. Before this divinely assigned task, all distinctions are rendered of little consequence.

Islam is primarily based on the Qur'an and the Hadith, which we have discussed in preceding chapter. To gain knowledge of Islam one cannot ignore anyone of these two primary sources. Rasul-Allah ﷺ said:

انى تركت فيكم امرين لن تضلوا ما تمسكتم بهما كتاب الله وسنة رسوله.

"I have left two things among you; you will not go astray till you hold them firm, the Book of Allah and Sunnah of His Rasul."²⁶

Hardly matters whether it is a matter of worship or worldly affair, The Qur'an and Hadith provided absolute guidance thus, one can not even think to separate these two sources from one another.

Society is based on family and good family establishes on the basis of cordial relation between man and woman. It is this single unit which ultimately flourishes in families and develops society. It is because of this, Islam wants to develop relation between man and woman on the basis of piousness, cooperation and justice. According to Islam marriage is worship.

There is a charity for you even in a physical relation with your wife, Companions asked O Rasul-Allah ﷺ! One who sleeps with his wife to fulfill his physical desire does he gets reward for it? Rasul-Allah ﷺ replied: if he fulfills his desire by unlawful means does he not commit sin? Companions replied in positive definitely he commits sin, Rasul-Allah said: obviously for unlawful act he will be punished and rewarded for lawful conduct' thus, when intention of believer is good his all acts (if they are in accordance with Sunnah) are good deeds for which he will be rewarded.²⁷

قَالَ النَّبِيُّ ﷺ صلى الله عليه وسلم وفي نضع أخوكم صدقة قالوا يا رسول الله أياي أخذنا شهوته ويكون له فيها أجر؟ قال أرأيتم لو وضعها في حرام أكان عليه فيها وزر؟ فكذلك إذا وضعها في الحلال كان له أجر! ﴿٢٨﴾

al-Nabiyy said: in man's sexual intercourse [with his wife] there is a charity. They [the Companions] said: Rasul-Allah, is there reward for that who satisfies his sexual passion among us? He said: Do you see if he were to devote it to something forbidden, would it not be a sin on his part? Similarly, if he were to devote it to some thing lawful, he should have a reward for it.²⁸

The Rasul-Allah ﷺ has made it clear that sex is not an evil in itself. That it has been implanted by Allah in man is a clear proof of the fact that its purpose must be good; for the procreation of human race, and for the expression of that kind of love between man and wife that makes for true oneness. Islam however, imposed limits upon its use, so that it may not become the misuse of something which is basically pure and purposeful.

Man has been given charge (*qawamiyat*) to run his family as its head and wife has been made bound to obey her husband, definitely this will discipline their lives both are responsible to bring up their children according to the teachings of Islam. Children too were ordered to obey their parents with love and respect.

It is established truth that, first Muslim society came into existence in Madinah after the migration of Rasul-Allah ﷺ and his pious Companions, it was in Madinah only where Muslims used to live without any fear and suppression according to their faith, while in Makkah there was no freedom of religion for them nor they were in a position to live as Muslim community then it was Madinah with the help of its natives who embraced Islam (*ansar*) Muslim migrants (*muhajirun*) as well as local natives (*ansar*) started living as a Muslim society, that is why we find social teachings of Islam only in those chapters which were revealed after migration to Madinah. Obviously Rasul-Allah ﷺ himself was founder of this Muslim society his ten years pious life in Madinah provided the guidance for the said society. We will narrate here some Ahadith of Rasul-Allah ﷺ regarding social teachings which were quoted by Imam Ibn Taimiyyah in his various books.

Marriage

عن انس قال قال رسول الله ﷺ اذا تزوج العبد فقد استكمل نصف الدين فليترك الله في نصف الباقي.

“Anas reported that the Rasul-Allah ﷺ said: when a man has married, he has fulfilled half of religion. Then let him fear Allah for the remaining half.”²⁹

١٨٣٧ عرشا محمد بن يحيى حدثنا سعيد بن سليمان حدثنا محمد بن مسلم حدثنا إبراهيم بن ميسرة عن طاووس
عن ابن عباس قال قال رسول الله ﷺ لم نزل للمتنحابين مثل النكاح

“Ibn ‘Abbas reported that the Rasul-Allah ﷺ said: for two mutual lovers, you will find nothing like marriage.”³⁰

Marriage is the union of two souls for love and two bodies for procreation and legalizing of children. Marriage engenders love at first for wife, then for children, then for kith and kin, then for the society and ultimately for the human race as a whole. The real unit of human civilization is the family and there can be

no family if there is no marriage. Marriage contributes to many vided progress of a man, physical, mental, social, moral and spiritual. In an unmarried stage, these things cannot be achieved in all perfections.

Social aspect of marriage

Marriage creates a family consisting of children and wife. Families create society and the progress of a family means the progress of the society. Marriage creates a new company of kith and kin, because sons and daughters go to create new families hospitalities, fellow-feeling, kindness and mutual help become binding among these relations. Marriage therefore gives impetus to what is called ‘social virtues’ Marriage gives the rights of inheritance and ownership in property to the nearest relations.

Consent in marriage

مرثا سعيد بن منصور وفنينة بن سعيد قالوا حدثنا مالك ح ومرثا يحيى بن يحيى واللفظ له قال قلت لمالك حدثك عبد الله بن الفضل عن نافع بن خنبل عن ابن عباس أن النبي صلى الله عليه وسلم قال ألا تهم أخو بنفسها من وليها واليكر فستأذن في نفسها وإذنها صماتها قال نعم *

Ibn ‘Abbas reported that al-Nabiyy ﷺ said: A woman without husband has got more right to her person than her guardian, and a virgin’s permission should be asked about herself and her permission is her silence, in a narration: He said: A previously married woman having consummation has got greater right to her person than her guardian, and a virgin shall be asked of her consent by her father; and her permission is her silence.³¹

Wali for marriage

عن أبي موسى قال قال رسول الله صلى الله عليه وسلم لا يباح إلا بولي *

“Abi Musa reported that Rasul Allah ﷺ said: there is no marriage without guardian.”³

Witnesses

عن ابن عباس أن النبي صلى الله عليه وسلم قال التباعيا إلا أن ينيحن أنفسهن بغير بينة *

“Ibn ‘Abbas reported that al-Nabiyy ﷺ said: The fornicator is those who marry by themselves without witnesses.”³³

Mahr

مرثا أبو الوليد هشام بن عبد الملك حدثنا ليث عن يزيد بن أبي حبيب عن أبي الخير عن عتبة عن النبي صلى الله عليه وسلم قال أحق ما أوفيتكم من الشروط أن توفوا به ما استحللتم به الفروج *

“Uqbah reported that al-Nabiyy ﷺ said: The most worthy condition you fulfill is one with which you have made private parts lawful.”³⁴

Marriage feast

٤٧٧٠ حدثنا سليمان بن حرب حدثنا حماد عن ثابت عن أنس قال ما أولم النبي صلى الله عليه وسلم على شيء من نسائه ما أولم على زينب أولم بشاة ﴿٣٥﴾

“Anas reported that al-Nabiyy ﷺ did never hold a wedding feast for any of his wives as he did for Zainab, he gave feast (for her marriage) with a goat.”³⁵

It is forbidden to combine woman and her father's or mother's sister in marriage

٤٧٧١ حدثنا عبد الله بن أحمد بن حنبل أخبرنا عاصم عن الشعبي سمع جابر رضي الله عنه قال قال رسول الله صلى الله عليه وسلم أن نكح المرأة على عمتها أو خالتها وقال داود وابن عوف عن الشعبي عن أبي هريرة ﴿٣٦﴾

“Sh‘abi has reported that, he heard from Jabir that, Rasul Allah has prohibited to bring together a woman and her father's or mother's sister in marriage.”³⁶

Prohibition of *shighar* marriage

٤٧٢٠ حدثنا عبد الله بن يوسف أخبرنا مالك عن أبيه عن ابن عمر رضي الله عنهما أن رسول الله صلى الله عليه وسلم نهى عن الشغار والشغار أن يزوجه الرجل ابنته على أن يزوجه الآخر ابنته ليس بينهما صداق ﴿٣٧﴾

Ibn ‘Umar said that Allah’s Rasul ﷺ prohibited *shighar* which means that a man gives his daughter in marriage on the condition that the other gives his daughter to him in marriage without any dower being paid by either.³⁷

Duties of husband and wife

عن جابر بن عبد الله قال: قال رسول الله ﷺ فاتقوا الله في النساء ذالكم اخذتموهن بامان الله واستحللتم فروجهن بكلمة الله ولكم عليهن ان لا يوطئن فرسكم احدًا تكرهونه فان فعلن ذالك فاضر بوهن ضرباً غير مبرح ولهن عليكم رزقهن وكسوتهن بالمعروف.

Jabir Ibn ‘Abd Allah reported that the Rasul-Allah ﷺ said: Fear Allah regarding woman. Verily you have married them with trust of Allah and made their private parts lawful with the word of Allah. You have got [rights] over them that they entertain nobody to your beds

which you dislike. If they do this, give them a beating without injury. They have got [rights] over you in respect of their food and clothing according to means.³⁸

١٨٣٠ مرثا موسى بن إسماعيل حَدَّثَنَا حَمَّادُ أَخْبَرَنَا أَبُو قَزَعَةَ التَّاهِيلِيُّ عَنْ حَكِيمِ بْنِ مُعَاوِيَةَ الْقُشَيْرِيِّ عَنْ أَبِيهِ قَالَ
قُلْتُ يَا رَسُولَ اللَّهِ مَا حَقِّي زَوْجَةٍ أَخْبَرَنِي عَلَيْهَا قَالَ أَنْ تُطْعِمَهَا إِذَا طَعِمْتَ وَتَكْسُوَهَا إِذَا اكْتَسَبْتَ أَوْ اكْتَسَبْتَ وَلَا
تَضْرِبَ الْوَجْهَ وَلَا تُفْتَحَ وَلَا تَهْجُرَ إِلَّا فِي الْبَيْتِ قَالَ أَبُو رَوَادٍ وَلَا تُفْتَحَ أَنْ نَقُولَ فَتَحَكَ اللَّهُ ﷺ

Hakim Ibn Mu'awiyah from his father reported: I asked: O Rasul-Allah ﷺ! What right has the wife of one among us got over him? He said: It is that you shall give her food when you have taken your food, that you shall cloth her when you have clothed yourself, that you shall not slap her on the face, nor revile [her], nor leave [her] alone except within the house.³⁹

١٨٨٢ مرثا أبو كُرَيْبٍ حَدَّثَنَا عَبْدُ اللَّهِ بْنُ سُلَيْمَانَ عَنْ مُحَمَّدِ بْنِ عَمْرٍو حَدَّثَنَا أَبُو سَلَمَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ
اللَّهِ ﷺ صَلَّيْهِ اللَّهُ عَلَيْهِ وَسَلَّمَ أَكْمَلُ الْمُؤْمِنِينَ إِيمَانًا أَحْسَنُهُمْ خُلُقًا وَخَيْرُهُمْ خِيَارًا كُمْ لِبَسَائِهِمْ خُلُقًا ﷺ

“Abi Hurairah reported that the Rasul-Allah ﷺ said: The most perfect of the believers in faith is he who is the best of them in conduct, and the best of you are those who are the best to their wives.”⁴⁰

١٨٤٧ مرثا هِشَامُ بْنُ عَمَّارٍ حَدَّثَنَا صَدْقَةُ بْنُ خَالِدٍ حَدَّثَنَا عُثْمَانُ بْنُ أَبِي الْعَابِدَةِ عَنْ عَلِيِّ بْنِ يَزِيدَ عَنْ الْقَاسِمِ عَنْ
أَبِي أُمَامَةَ عَنِ النَّبِيِّ ﷺ صَلَّيْهِ اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ كَانَ يَقُولُ مَا اسْتَفَادَ الْمُؤْمِنُ بَعْدَ تَقْوَى اللَّهِ خَيْرًا لَهُ مِنْ زَوْجَةٍ صَالِحَةٍ
إِنْ أَمَرَهَا أَطَاعَتْهُ وَإِنْ نَظَرَ إِلَيْهَا سَرَتْهُ وَإِنْ أَقْسَمَ عَلَيْهَا أَبْرَأَتْهُ وَإِنْ غَابَ عَنْهَا نَصَحَتْهُ فِي نَفْسِهَا وَمَالِهِ ﷺ

Abi Umamah reported: from al-Nabiyy ﷺ who used to say: Next to fear of Allah, the believer finds nothing good for him than a virtuous wife, if he bids her she obeys him; if he look at her, she gives him pleasure, if he gives her a promise, she fulfils it, and if he is absent from her, she guards herself and his property.⁴¹

١٨٨١ مرثا وَاصِلُ بْنُ عَبْدِ الْأَعْلَى حَدَّثَنَا مُحَمَّدُ بْنُ فَضِيلٍ عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ أَبِي نَصْرٍ عَنْ مُسَاوِيرِ
الْحِمَيْرِيِّ عَنْ أُمِّهِ عَنْ أُمِّ سَلَمَةَ قَالَتْ قَالَ رَسُولُ اللَّهِ ﷺ صَلَّيْهِ اللَّهُ عَلَيْهِ وَسَلَّمَ أَيُّمَا امْرَأَةٍ مَاتَتْ وَزَوْجُهَا عَنْهَا رَاضٍ دَخَلَتْ
الْجَنَّةَ قَالَ أَبُو عَمْرِو هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ ﷺ

“Umm Salmah reported that the Rasul-Allah ﷺ said: whosoever female dies while her husband was pleased with her, will enter paradise.”⁴²

١٨٢٨ مَرْثَا عَمْرُو بْنُ عَوْنٍ أَخْبَرَنَا إِسْحَاقُ بْنُ يُونُسَ عَنْ شَرِيكِ عَنْ حُضَيْنٍ عَنْ الشَّعْبِيِّ عَنْ قَيْسِ بْنِ سَعْدٍ قَالَ أَتَيْتُ الْحَبِيرَةَ فَزَأَيْتُهُمْ يَسْجُدُونَ لِمَرْزُبَانٍ لَهُمْ فَقُلْتُ رَسُولُ اللَّهِ أَحَقُّ أَنْ يُسْجَدَ لَهُ قَالَ فَأَتَيْتُ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُلْتُ إِنِّي أَتَيْتُ الْحَبِيرَةَ فَزَأَيْتُهُمْ يَسْجُدُونَ لِمَرْزُبَانٍ لَهُمْ فَأَنْتَ يَا رَسُولَ اللَّهِ أَحَقُّ أَنْ يُسْجَدَ لَكَ قَالَ أَرَأَيْتَ لَوْ مَرَزْتُ بِقَبْرِي أَكُنْتُ تَسْجُدُ لَهُ قَالَ فَلَنْ أَقَالَ فَلَا تَفْعَلُوا لَوْ كُنْتُ أَمِيرًا أَحَدًا أَنْ يُسْجَدَ لِأَحَدٍ لِأَمَرْتُ النِّسَاءَ أَنْ يَسْجُدْنَ لِأَزْوَاجِهِنَّ لِمَا جَعَلَ اللَّهُ لَهُمْ عَلَيْهِنَّ مِنَ الْحَقِّ ❊

“...Qais Ibn Sa’d reported that the Rasul-Allah ﷺ said: If I were to order anybody to make prostration to anybody, I would have ordered a woman to prostrate before her husband...”⁴³

عن أبي هريرة قال: قال رسول الله ﷺ إذا صلت المرأة خمسها، وصامت شهرها، وحصنت فرجها، وأطاعت بعلها دخلت أبواب الجنة شاءت.

Abi Hurairah reported that Rasul-Allah ﷺ said: when a woman offers five times *salah*, keeps *sawm* [in the month of *Ramadan*] guards her private parts, obeys her husband, she will enter paradise from any door she wishes.⁴²

Islam created a thorough revolution in the status and position of woman; on the one part the Qur’an provides basic guidelines about the rights and duties of husband and wife. Ahadith of Rasul-Allah ﷺ not only discussed this relation comprehensively but touches each and every aspect of husband wife relation; rights of both husband and woman were mentioned in Ahadith. The ideal of wifehood which we came to know through Ahadith is love and affection and not subordination and servitude. They became equal partners with their husbands; and equality becomes the regulating principle of the married parties.

Duties towards children

هذه مَرْثَى إِسْحَاقَ بْنِ نَصْرِ حَدَّثَنَا أَبُو أُسَامَةَ قَالَ حَدَّثَنِي يَزِيدُ عَنْ أَبِي بَرْزَةَ عَنْ أَبِي مُوسَى رَضِيَ اللَّهُ عَنْهُ قَالَ وَلَدَ لِي غُلَامٌ فَأَتَيْتُ بِهِ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَسَمَّاهُ إِبْرَاهِيمَ فَحَنَكُهُ بِتَمْرَةٍ وَدَعَا لَهُ بِالْبِرْكَوَةِ وَدَفَعَهُ إِلَيَّ وَكَانَ أَكْبَرَ وَلَدِي أَبِي مُوسَى ❊

Abi Musa reported: A son was born to me and I took him to al-Nabiyy ﷺ who named him Ibrahim. He did ‘*tahnik*’ for him with a date, invoked Allah to bless him and returned him to me. That was Abu Musa’s eldest son.⁴⁵

عَنْ مُحَمَّدِ بْنِ سِيرِينَ حَدَّثَنَا سَلْمَانُ بْنُ عَامِرٍ الضُّبِّيُّ قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ مَعَ الْغُلَامِ عَقِيْقَةً فَأَهْرِيقُوا عَنْهُ دَمًا وَأَمِيطُوا عَنْهُ الْأَذَى ❊

Amir al Dabbi reported that he heard the Rasul-Allah ﷺ saying: with the ‘*aqiqah* shed blood away from him and protect him from harm. [In the Hadith narrated by Imam Tirmidhi the Rasul-Allah ﷺ was asked about ‘*aqiqah* and he ordered 2 sheep for a boy and one sheep for a girl].⁴⁶

مرثا نضر بن عيسى التميمي حدثنا غابر بن أبي غابر الخزازي حدثنا أيوب بن موسى عن أبيه عن جده أن رسول الله صلى الله عليه وسلم قال ما نحل والد ولدا من نحل أفضل من أدب حسن ﴿٤٦﴾

“Ayub Ibn Musa reported from his father and he from his father that the Rasul-Allah ﷺ said: No father can give a better gift to his son than good manners.”⁴⁷

٤٦٥ مرثي عمرو الشافعي حدثنا أبو أحمد الزبيري حدثنا محمد بن عبد العزيز عن عبيد الله بن أبي بكر بن أنس عن أنس بن مالك قال قال رسول الله صلى الله عليه وسلم من عال جارية حتى تبلغ جاء يوم القيامة أنا وهو وضيم أصابعه ﴿٤٧﴾

“Anas reported that, Rasul-Allah ﷺ said: whoever maintains two girls till they attain maturity, he and I will come on the resurrection day like this and he joined his fingers.”⁴⁸

٤٨٩ مرثا محمد بن يوسف حدثنا سفيان بن هشام عن عروة عن عائشة رضي الله عنها قالت جاء أعز ابني إلى النبي صلى الله عليه وسلم فقال تقبلون الصبيان فما نقبلهم فقال النبي صلى الله عليه وسلم أو أملاك لك أن تزع الله من قلبك الرحمة ﴿٤٩﴾

“A’isha reported that a desert Arab came to al-Nabiyy ﷺ and said: Do you kiss children? But we don’t kiss them. Then al-Nabiyy ﷺ said: I can’t help you since Allah has taken kindness out of your heart.”⁴⁹

Duty of parents

٣٦٥٢ مرثا هشام بن عمار حدثنا صدقة بن خالد حدثنا عثمان بن أبي العباس عن علي بن يزيد عن القاسم عن أبي أمامة أن رجلا قال يا رسول الله ما حق الوالدين علي ولدهما قال هما جنة ونار ﴿٥٠﴾

“Abi Umamah reported that a man asked: O! Rasul-Allah ﷺ: what are the rights of the parents over their children? He replied: They are your Paradise and your Hell.”⁵⁰

١٨٢١ مرثا أبو حفص عمر بن علي حدثنا خالد بن الحارث حدثنا شعبة عن يعلى بن عطاء عن أبيه عن عبد الله ابن عمرو عن النبي صلى الله عليه وسلم قال رضى الرب في رضى الوالد وسخط الرب في سخط الوالد ﴿٥١﴾

١٧٤٤ مَرَاتًا فَتَبَيَّنَ حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ عَنْ ابْنِ الْهَادِ عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ عَنْ عَبْدِ اللَّهِ
ابْنِ عَمْرِو قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ مِشْقَمَ الرَّجُلِ وَالذِّبْيَ قَالُوا يَا رَسُولَ اللَّهِ وَهَلْ
يُشْمَنُ الرَّجُلُ وَالذِّبْيَ قَالَ نَعَمْ يَسْبُ أبا الرَّجُلِ فَيُشْمَنُ أُمُّهُ وَيُشْمَنُ أُمُّهُ فَيَسْبُ أُمُّهُ ❀

٤٦٣٧ رَحِمَ أَنْفٌ نَفْسَ رَحِمٍ أَنْفٌ فِيلٍ مَنْ يَأْتِيهِ مِنَ اللَّهِ قَالَ مَنْ أَذْرَكَ أَبُوَيْهِ عِنْدَ الْكِبَرِ أَضَدَّهُمَا أَوْ كَلَبَهُمَا فَلَمْ يَدْخُلِ الْجَنَّةَ ❁

٤١١١ هـ **فَتَيْبَةُ** بِنْتُ **عَبِيدِ بْنِ حَبِيلِ بْنِ طَرِيفِ الثَّقَفِيِّ** وَزَوْجُهُ بْنُ خَرْبٍ قَالَا حَدَّثَنَا خَبْرٌ عَنْ عُمَارَةَ بِنِ
الْفُغَاعِ عَنْ أَبِي زُرْعَةَ عَنْ أَبِي هُرَيْرَةَ قَالَ جَاءَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ مَنْ أَحَقُّ النَّاسِ
بِخَمْسِ صَحَابِيٍّ قَالَ أَمَّا قَالَ ثُمَّ مَنْ قَالَ ثُمَّ أَمَّا قَالَ ثُمَّ مَنْ قَالَ ثُمَّ أَمَّا قَالَ ثُمَّ مَنْ قَالَ ثُمَّ أَبُوكَ وَفِي خَوِيْثِ
فَتَيْبَةُ مِنْ أَحَقِّ خَمْسِ صَحَابِيٍّ وَلَمْ يَذْكُرِ النَّاسُ ❁

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Keeping good relations with one's relatives

٥٥٢٩ حدثنا خالد بن مخلد حدثنا سليمان حدثنا عبد الله بن دينار عن أبي صالح عن أبي هريرة رضي الله عنه عن النبي صلى الله عليه وسلم قال إن الرِّحِمَ شَجَنَةٌ مِنَ الرَّحْمَنِ فَقَالَ اللَّهُ مَنْ وَصَلَكَ وَصَلَهُ وَمَنْ قَطَعَكَ قَطَعَنَهُ ﴿٥﴾

Narrated Abi Hurairah: al-Nabiyy ﷺ said: the word *al Rahim* derives its name from *al Rahman* [i.e. one of the names of Allah] and Allah said: I will keep good relations with the one who will keep good relations with you, and severe the relations with him who will severe the relations with you.⁵⁵

٤٦٢٨ حدثني حرمة بن يحيى الشَّجِيرُ أَخْبَرَنَا ابْنُ وَهْبٍ أَخْبَرَنِي يُونُسُ عَنْ ابْنِ شِهَابٍ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ مَنْ سَرَّهُ أَنْ يُبْسَطَ عَلَيْهِ رِزْقُهُ أَوْ يُنْسَأَ فِي آثَرِهِ فَلْيُصِلْ رَحِمَهُ ﴿٥﴾

“Narrated Ans Ibn Malik: I heard Allah’s Rasul ﷺ saying: Whoever is pleased that he be granted more wealth and that his leave of life be prolonged, then he should keep good relations with his kith and kin.”⁵⁶

٥٥٢٥ حدثنا يحيى بن بكير حدثنا الليث عن عقيل عن ابن شهاب أن محمد بن جبير بن مطعم قال إن جبير بن مطعم أخبَرَهُ أَنَّهُ سَمِعَ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ لَا يَدْخُلُ الْجَنَّةَ قَاطِعٌ ﴿٥﴾

“Narrated Jubair Ibn Mut‘im that he heard al-Nabiyy ﷺ saying: The person who severed the bond of kinship will not enter Paradise.”⁵⁷

٥٥٢٢ حدثنا محمد بن كبير أَخْبَرَنَا سُفْيَانُ عَنْ الْأَعْمَشِ وَالْحَسَنِ بْنِ عَمْرِو وَفَطْرٍ عَنْ مُجَاهِدٍ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو قَالَ سُفْيَانُ لَمْ يَرْفَعْ الْأَعْمَشُ إِلَى النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَرَفَعَهُ حَسَنٌ وَفَطْرٌ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَيْسَ الْوَاصِلُ بِالْمُكَافِي وَلَكِنَّ الْوَاصِلَ الَّذِي إِذَا قُطِعَتْ رَحِمُهُ وَصَلَهَا ﴿٥﴾

‘Abd Allah Ibn ‘Amr reported: al-Nabiyy ﷺ said: That who keeps good relations with his relatives is not the one who recompenses the good done to him by his relatives, but *al wasil* is the one who keeps good relations with those relatives who had severed the bond of kinship with him.⁵⁸

عَنِ الرَّبَابِ عَنْ عَمَّتِهَا سَلَمَانَ بْنِ عَامِرٍ يَبْلُغُ بِهِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ الصَّدَقَةُ عَلَى الْمِسْكِينِ صَدَقَةٌ وَهِيَ عَلَى ذِي الرَّحِمِ ثِنْتَانِ صَدَقَةٌ وَصِلَةٌ ﴿٥﴾

“Salman Ibn ‘Amir reported that al-Nabiyy ﷺ said: *sadqah* to a poor man has one [merit] charity and to a kinsman two [merits] charity and connection.”⁵⁹

Duty towards neighbours

١٨٦٥ مَرْثَا قَتَيْبَةُ حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ أَبِي بَكْرٍ هُوَ ابْنُ مُحَمَّدٍ بْنِ عَمْرٍو عَنْ حَزْمٍ عَنْ عُمَرَ عَنْ عَائِشَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ مَا زَالَ جِبْرِيلُ يُوصِيصِي بِالْجَارِ حَتَّى ظَنَنْتُ أَنَّهُ سَيُورَثُهُ قَالَ أَبُو عِيسَى هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ ❊

“A’isha reported from the Rasul-Allah ﷺ who said: Jibril did not stop to advise me about neighbour till I thought that he would soon make him an heir.”⁶⁰

عن حسن بن سفيان قال: قال رسول الله: الجيران ثلاثة جار له حق واحد و جاره له حقان و جاره له ثلاثة حقوق فالجار الذي له ثلاثة حقوق الجار المسلم ذو الرحم فله حق الجوار حق الاسلام وحق الرّم واما الذي له حقان فالجار المسلم له حق الجوار وحق الاسلام واما الذي له حق واحد فالجار المشرك.

Hasan Ibn Sufyan reported that the Rasul-Allah ﷺ said: there are three kinds of neighbours, neighbour who has got single right; a neighbour who has got double rights; and a neighbour who has got triple rights. The neighbour who has got triple rights is a Muslim neighbour having relation; from him there is the right of neighbourhood, the right of Islam and the right of relationship. As for one who has got double rights, he is a Muslim neighbour: for him there is the right of neighbourhood and the right of Islam, and as far one who has got single right, he is a polytheist neighbour.⁶¹

٦٦ مَرْثَا يَحْيَى بْنُ أَبِي أُيُوبَ وَقَتَيْبَةُ بْنُ سَعِيدٍ وَعَلِيُّ بْنُ حُجْرٍ جَمِيعًا عَنْ إِسْمَاعِيلَ بْنِ جَعْفَرٍ قَالَ ابْنُ أَبِي أُيُوبَ حَدَّثَنَا إِسْمَاعِيلُ قَالَ أَخْبَرَنِي الْغَلَاءُ عَنْ أَبِيهِ عَنْ أَبِي هُرَيْرَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا يَدْخُلُ الْجَنَّةَ مَنْ لَا يَأْمَنُ جَارَهُ بَوَائِقَهُ ❊

“Abi Hurairah reported that the Rasul-Allah ﷺ said: One whose neighbours are not safe from his troubles shall not enter paradise.”⁶²

٥٥٥٧ مَرْثَا عَاصِمُ بْنُ عَلِيٍّ حَدَّثَنَا ابْنُ أَبِي ذُقَيْبٍ عَنْ سَعِيدٍ عَنْ أَبِي شُرَيْحٍ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ وَاللَّهِ لَا يُؤْمِنُ وَاللَّهُ لَا يُؤْمِنُ فَيَلْ وَمَنْ يَا رَسُولَ اللَّهِ قَالَ الَّذِي لَا يَأْمَنُ جَارَهُ بَوَائِقَهُ ❊

“Abi Shurah reported: al-Nabiyy ﷺ said: By Allah he does not believe! By Allah he does not believe! By Allah he does not believe! It was said: who is that, O! Allah’s Rasul ﷺ? He said that person whose neighbours do not feel safe from his evil.”⁶³

٥٥٦١ مَرْثَا حِجَّاجُ بْنُ مِنْهَالٍ حَدَّثَنَا شُعْبَةُ قَالَ أَخْبَرَنِي أَبُو عَمْرٍو قَالَ سَمِعْتُ طَلْحَةَ عَنْ عَائِشَةَ قَالَتْ قُلْتُ يَا رَسُولَ اللَّهِ إِنْ لِي جَارَيْنِ فَايِسَ إِلَيْهِمَا أَهْدَى قَالَ إِيَّاهُمَا مِنْكَ يَا أبا

“A’isha reported: I said; O! Rasul-Allah ﷺ, I have two neighbours. To whom shall I send my gift? He said; to the one whose gate is nearer to you.”⁶⁴

٢٧٥٩ مَرْثَا أَبُو بَكْرٍ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا ابْنُ إِدْرِيسَ أَخْبَرَنَا شُعْبَةُ ح وَصَلَّى أَبُو كُرَيْبٍ حَدَّثَنَا ابْنُ إِدْرِيسَ أَخْبَرَنَا شُعْبَةُ عَنْ أَبِي عُمَرَ بْنِ الْحَوَّارِ عَنْ عَبْدِ اللَّهِ بْنِ الصَّامِتِ عَنْ أَبِي ذَرٍّ قَالَ إِنَّ خَلِيلِي صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَوْصَانِي إِذَا طَبَخْتُ مَرَقًا فَأَكْثِرْ مَاءَهُ ثُمَّ انْظُرْ أَهْلَ بَيْتِي مِنْ جِيرَانِكَ فَأَصْنِهِمْ مِنْهَا بِمَعْرُوفٍ ۝

“Abi Dhar reported that the Rasul-Allah ﷺ said: when you cook broth increase its water and give it to your neighbour.”⁶⁵

عن عتبه من عامر قال: قال رسول الله ﷺ أول خصمين يوم القيامة جاران.

“Uqbah Ibn ‘Amir reported that the Rasul-Allah ﷺ said: The first two disputants on the Resurrection day will be two neighbours.”⁶⁶

Duty towards servants and slaves*

٢٣٣٢ مَرْثَا أَحْمَدُ بْنُ يُونُسَ حَدَّثَنَا عَاصِمُ بْنُ مُحَمَّدٍ قَالَ حَدَّثَنِي وَاقِدُ بْنُ مُحَمَّدٍ قَالَ حَدَّثَنِي سَعِيدُ بْنُ مَرْجَانَةَ صَاحِبُ عَلِيِّ بْنِ حُسَيْنٍ قَالَ قَالَ لِي أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ آتِنَا زَجَلٍ أَعْتَقَ امْرَأً مُسْلِمًا اسْتَفْتَدَ اللَّهُ بِكُلِّ غُضُوٍّ مِنْهُ غُضُوًّا مِنْهُ مِنَ النَّارِ ۝

“Abu Hurairah narrated: al-Nabiyy ﷺ said: that who frees a Muslim slave, Allah will save all parts of his body from the [Hell] fire he has freed the body parts of the slave.”⁶⁷

٢٣٥٨ مَرْثَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ سَمِعَ مُحَمَّدَ بْنَ فَضِيلٍ عَنْ مُطَرِّفٍ عَنْ الشَّعْبِيِّ عَنْ أَبِي بُرْزَةَ عَنْ أَبِي مُوسَى رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ كَانَتْ لَهُ جَارِيَةٌ فَعَالَهَا فَأَحْسَنَ إِلَيْهَا ثُمَّ أَعْتَقَهَا وَتَزَوَّجَهَا كَانَ لَهُ أَجْرَانِ ۝

*Islam supports no slavery. It is a common sense that, nobody should be deprived of his natural legitimate birth right as Allah created all men and women of the world from one couple (Adam and Hawa). Ancient historians tell us how ruthless, hard and cruel the masters upon their slaves were. With advent of Rasul-Allah ﷺ a marvelous change was made in the status and position of the slaves, and no distinction was held between a slave and a free man in all matters. He could not abolish it altogether in the circumstances of the society at that time but wonderful mitigated their suffering by a sort of prescribed manumission, forbidding enslavement of men and women, raising the slaves to higher positions and ranks, and by giving repeated advice in the treatment towards them, regarding food clothing and abode, and promising great rewards in manumission of slaves. It ultimately paved the way not only to the abolition of slavery but abolition of all distinctions of masters and slaves.

“Abi Musa narrated: Allah’s Rasul ﷺ said: He, who has a slave girl and educates and treats her nicely and then emancipates and marries her, will get a double reward.⁶⁸

٢٣٧٠ حدثنا حجاج بن منهال حدثنا شعبة قال أخبرني محمد بن زياد سمعت أبا هريرة رضي الله عنه عن النبي صلى الله عليه وسلم إذا أتى أحدكم خادمه بطعامه فإن لم يجلسه معه فليناوله لقمة أو لفتنتين أو أكلة أو أكلتين فإنه وإن علاجه ﴿٢٣٧٠﴾

Abi Hurairah reported: al-Nabiyy ﷺ said: when your servant brings your meals to you, then if he does not let him sit and share the meals, then he should at least give him a mouthful or two mouthfuls of that meal or a meal or two meals, as he has prepared it.⁶⁹

٣١٨٠ حدثنا أبو بكر بن أبي شيبة حدثنا وكيع حدثنا الأعمش عن المنصور بن سويد عن أبي ذر قال قال رسول الله صلى الله عليه وسلم إخوانكم جعلهم الله تحت أيديكم فأطعوهم مما تأكلون وألبسوهم مما تلبسون ولا تكلّفوهم ما يغلبهم فإن كلفتموهم فأعينوهم ﴿٣١٨٠﴾

Abi Dhar reported that the Rasul-Allah ﷺ said: Your brethren [slaves-servants] Allah has placed them under your hands; whosever’s brother Allah has placed under his hand; let him feed him., cloth him out of what he clothes himself with; and let him not be entrusted with a work which will overcome him. If he entrusts him with that will overcome, let him assist him therein.⁷⁰

١٨٧٢ حدثنا رشيد بن سعد عن أبي هانئ الخولاني عن عباس الحنظلي عن عبد الله بن عمر قال جاء رجل إلى النبي صلى الله عليه وسلم فقال يا رسول الله كم أعفو عن الخادم فصمت عنه رسول الله صلى الله عليه وسلم ثم قال يا رسول الله كم أعفو عن الخادم فقال كل يوم سبعين مرة ﴿١٨٧٢﴾

‘Abd Allah Ibn ‘Umar reported that a man came to the al-Nabiyy ﷺ and said: O! Rasul-Allah ﷺ! How many times shall we pardon a servant? He remained silent then he asked the questions to him again, but he remained silent. When it was asked for the third time, he replied: pardon him 70 times every day.⁷¹

٤٤٨٩ حدثنا زهير بن حرب وعثمان بن أبي شيبة قال حدثنا محمد بن الفضل عن مغيرة عن أم موسى عن علي عليه السلام قال كان آخر كلام رسول الله صلى الله عليه وسلم الصلاة الصلوة اتقوا الله فيما ملكت أيمانكم ﴿٤٤٨٩﴾

“Aliyy reported from the Rasul-Allah ﷺ that, he was saying in his [last] illness; salah and what your right hand have possessed.”⁷²

٣٦٨ حدثنا أبو بكر بن أبي شيبة وعلي بن محمد قالوا حدثنا إسحاق بن سليمان عن مغيرة بن مسلم عن فرقد الشيعي عن مرة الطيب عن أبي بكر الصديق قال قال رسول الله صلى الله عليه وسلم لا يدخل الجنة من أتى الملكة

“Abi Bakr Sidiq reported from the Rasul-Allah ﷺ who said: one who treats badly under his authority shall not enter Paradise.”⁷³

Duty towards orphans and widows

٥٥٦ حدثنا عبد الله بن عبد الوهاب قال حدثني عبد العزيز بن أبي حازم قال حدثني أبي قال سمعت سهل بن سعد عن النبي صلى الله عليه وسلم قال أنا وكافل اليتيم في الجنة هكذا وقال بإصبعيه السبابة والوسطى

“Sahl Ibn Sa‘id narrated: al-Nabiyy ﷺ said: I and the person, who looks after an orphan and provides for him, will be in Paradise like this, putting his index and middle fingers together.”⁷⁴

٣٦٩ حدثنا علي بن محمد حدثنا يحيى بن آدم حدثنا ابن المبارك عن سعيد بن أبي أيوب عن يحيى بن سليمان عن زيد بن أبي عذابة عن أبي هريرة عن النبي صلى الله عليه وسلم قال خير بيت في المسلمين بيت فيه يتيم

يُحسن إليه وشر بيت في المسلمين بيت فيه يتيم يساء إليه

“Abi Hurairah reported that al-Nabiyy ﷺ said: The best home of Muslims is one wherein there is an orphan who is treated well; and the worst home of Muslim is one wherein there is an orphan who is treated badly.”⁷⁵

٥٥٨ حدثنا عبد الله بن مسلمة حدثنا مالك عن نويرة عن أبي الغيث عن أبي هريرة رضي الله عنه قال قال رسول الله صلى الله عليه وسلم الساعي على الأرملة والمسكين كالمجاهد في سبيل الله وأخيه قال يشك الفقهاء كالأقارب لا يفتر ولا يضام لا يفعل

Abi Hurairah narrated: Rasul Allah ﷺ said: The one, who looks after and works for a widow and for a poor person, is like a warrior fighting for Allah’s cause or like a person who *sawm* during the day and prays all the night.⁷⁶

Respect to seniors and love to juniors

١٨٤٢ حدثنا محمد بن مرزوق البصري حدثنا غنيد بن واقد عن زريق قال سمعت أنس بن مالك يقول جاء شيخ يريد النبي صلى الله عليه وسلم فأبطلوا القوم عنه أن يؤسغوا له فقال النبي صلى الله عليه وسلم ليس منا من لم يرحم صغيرنا ويوقر كبيرنا

“Ibn ‘Abbas reported that al-Nabiyy ﷺ said: He is not of us who is not kind to our juniors, and shows no respect to our elders.”⁷⁷

١٩٤٥ مَرْثَا مُحَمَّدُ بْنُ الْمُثَنَّى حَدَّثَنَا يَزِيدُ بْنُ بَيَّانٍ الْعُقَيْلِيُّ حَدَّثَنَا أَبُو الرَّحَالِ الْأَنْصَارِيُّ عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ مَا أَكْرَمَ شَابٌ شَيْخًا لَيْسَ لَهُ إِلَّا قَيْضُ اللَّهِ لَهُ مَنْ يُكْرِمُهُ عِنْدَ رَبِّهِ ❊

“Anas Ibn Malik reported that the Rasul-Allah ﷺ said: If a young man shows honour to an old man on account of his age, Allah will create for him at his old age someone who will show him honour.”⁷⁸

٣٧٠٢ مَرْثَا مُحَمَّدُ بْنُ الصَّبَّاحِ أَبَانَا سَعِيدُ بْنُ مَسْلَمَةَ عَنْ ابْنِ عَبَّادٍ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ إِذَا آتَاكُمْ كَرِيمٌ فَكْرِمُوهُ ❊

“Ibn ‘Umar reported that Rasul-Allah ﷺ said: when a respectable man of a tribe comes to you, show him honour.”⁷⁹

Human relations and duties

١٨٤٥ مَرْثَا مُحَمَّدُ بْنُ بَشَّارٍ حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ عَنْ إِسْمَاعِيلَ بْنِ أَبِي خَالِدٍ حَدَّثَنَا فَيْسُ حَدَّثَنَا جَرِيرُ بْنُ عَبْدِ اللَّهِ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ لَا يَرْحَمُ النَّاسُ لَا يَرْحَمُهُ اللَّهُ ❊

“Jarir Ibn ‘Abd Allah reported that the Rasul-Allah ﷺ said: Allah is not kind to one who is not kind to mankind.”⁸⁰

٤٢٩٠ مَرْثَا أَبُو بَكْرٍ بْنُ أَبِي شَيْبَةَ وَمُسَدَّدُ الْمَعْنَى قَالَا حَدَّثَنَا سُفْيَانُ عَنْ عُمَرُو عَنْ أَبِي قَالِبُونَ مَوْلَى لِعَبْدِ اللَّهِ بْنِ عُمَرُو عَنْ عَبْدِ اللَّهِ بْنِ عُمَرُو يَبْلُغُ بِهِ النَّبِيُّ ﷺ الرَّاحِمُونَ يَرْحَمُهُمُ الرَّحْمَنُ اارْحَمُوا أَهْلَ الْأَرْضِ يَرْحَمَكُم مَن فِي السَّمَاءِ لَمْ يَقُلْ مُسَدَّدٌ مَوْلَى عَبْدِ اللَّهِ بْنِ عُمَرُو وَقَالَ قَالَ النَّبِيُّ ﷺ ❊

“Abd Allah Ibn ‘Amr reported that al-Nabiyy ﷺ said: [as for] the kind, the merciful is kind to them. Be kind to those who are in this world; then those who are in heaven will show kind-ness to you.”⁸¹

١٢٣٩ مَرْثَا آدَمُ حَدَّثَنَا شُعْبَةُ حَدَّثَنَا عُمَرُو بْنُ مَرْة قَالَ سَمِعْتُ عَبْدَ الرَّحْمَنِ بْنَ أَبِي لَيْلَى قَالَ كَانَ سَهْلُ بْنُ حَنِيفٍ وَفَيْسُ بْنُ سَعْدٍ قَاعِدَيْنِ بِالْقَادِسِيَّةِ فَمَرُّوا عَلَيْهِمَا بِجَنَازَةٍ فَقَامَا فَيَقِيلُ لَهَا إِنَّمَا مِنْ أَهْلِ الْأَرْضِ أَيُّ مِنْ أَهْلِ الدَّمَةِ فَقَالَا إِنَّ النَّبِيَّ ﷺ مَرَّتْ بِهِ جَنَازَةٌ فَقَامَ فَيَقِيلُ لَهُ إِنَّهَا جَنَازَةٌ يَهُودِيٌّ فَقَالَ أَلَيْسَتْ نَفْسًا ❊

“Jabir reported: a bier was passing, and al-Nabiyy ﷺ stands for it. We also got up with him and

asked: O Rasul-Allah ﷺ! Verily he is a Jew. He said: is he not human being?⁸²

عن أبي هريرة قال: قيل رسول الله ادع على المشركين قال أني لم أبعث لعناً وإنما بعثت رحمة.

“Abi Hurairah reported: That it was questioned: O Rasul-Allah ﷺ! Supplicate against the polytheists. He replied; I have been sent not to curse, but I have been raised up as mercy.”⁸³

٢٧٢ حدثنا أبو معاوية عن الأعمش عن عمرو بن مرة عن سالم عن أم الدرداء عن أبي الدرداء قال قال رسول الله صلى الله عليه وسلم ألا أخبركم بأفضل من درجة الصيام والصلاة والصدقة قالوا بلى يا رسول الله قال إصلاح ذات النبين وفساد ذات النبين الخليفة

Abi Darda reported that Rasul-Allah ﷺ said: shall I not inform you about what is better than the rank of *sawm*, *salah* and *sadqah*? We replied: yes he said: To restore peace between the two, and the dispute the two is destroying.⁸⁴

عن عبد الله و انس قال: قال رسول الله ﷺ الخلق عيال الله فاحب الخلق الى الله من احسن الى عياله حقوق الله حقوق العباد.

“Abd Allah and Ans reported that the Rasul-Allah ﷺ said: the creation is the family of Allah so the dearest of the creations of Allah is he who is the best to His family.”⁸⁵

عن أبي امامه قال: قال رسول الله ﷺ ما احب عبد الله الا اكرم ربه عز وجل.

“Abi Umamah reported that the Rasul-Allah ﷺ said: No servant loves a servant of Allah except that the honours his Glorious and Almighty Rabb.”⁸⁶

٢٧٣ حدثنا أبو اليمان أخبرنا شعيب عن الزهري قال حدثني طلحة بن عبيد الله أن عبد الرحمن بن عمرو بن سهل أخبره أن سعيد بن زيد رضي الله عنه قال سمعت رسول الله صلى الله عليه وسلم يقول من ظلم من الأرض شيئاً طوفه من سبع أرضين

“Sa'id Ibn Zaid narrated: Rasul-Allah ﷺ said: that who usurps the land of some body unjustly, his neck will be encircled with it down the seven earths.”⁸⁷

٢٧٤ حدثنا أبو عاصم عن ابن جريج عن ابن أبي مليكة عن عائشة رضي الله عنها عن النبي صلى الله عليه وسلم قال إن أبغض الرجال إلى الله الألد الخصم

“A'isha narrated: al-Nabiyy ﷺ said: The most hated person in the sight of Allah is the most quarrelsome person.”⁸⁸

Abi Hurairah reported that the Rasul-Allah ﷺ said: The rights of a Muslim upon Muslim are six. It was questioned: what are those, O! Rasul-Allah ﷺ? He replied: when you meet him, salute him; and when he calls you, respond to him; and when he seeks advice, give him advice, and when he sneezes and praises Allah, respond to him and when he falls ill, visit him and when he dies, follow him [take him to graveyard].⁹⁵

٢٦١٢ حدثنا هشام بن عمار عن أبي هريرة قال قال رسول الله صلى الله عليه وسلم: والذى نفسى بيده لا تَدْخُلُوا الجنةَ حتى تُؤْمِنُوا ولا تُؤْمِنُوا حتى تُحَابُوا ألا أدُلُّكُمْ على أمرٍ إذا أنتم فعلتموه تحاببتم أنفسكم أَلَسُوا بِالسَّلامِ بَيْنَكُمْ *

Same reported that Rasul-Allah ﷺ said: you shall not enter Paradise till you believe; and you will not believe till you love one another. Shall I not guide you to thing? When you will do it, you will love one another, spread peach *al salam* among you.⁹⁶

١٨٦٤ حدثنا عبد بن حميد حدثنا زيد بن الخطاب الكلبي حدثني أبو سلمة الكندي حدثنا فرقد السنجي عن مرة ابن شراحيل الهمداني وهو الطيب عن أبي بكر الصديق قال قال رسول الله صلى الله عليه وسلم مَلْعُونٌ مَنْ حَارَ مُؤْمِنًا أَوْ مَكَرَ بِهِ *

“Abi Bakr Sidiq reported that Rasul-Allah ﷺ said: Accused is he who injures a believer and plays deceit with him.”⁹⁷

٢٢١٢ حدثنا يحيى بن بكير حدثنا الليث عن عقيل عن ابن شهاب أن ساليما أخبرته أن عبد الله بن عمر رضي الله عنهما أخبرته أن رسول الله صلى الله عليه وسلم قال المسلم أخو المسلم لا يظلمه ولا يسلطه ومن كان في حاجة أخيه كان الله في حاجته ومن فرج عن مسلم كربة فرج الله عنه كربة من كربات يوم القيامة ومن ستر مسلمًا ستره الله يوم القيامة *

‘Abd Allah Ibn ‘Umar narrated: Allah’s Rasul ﷺ: A Muslim is a brother of another Muslim, so he should not oppress him, nor should he hand him over to an oppressor. Whoever fulfilled the needs of his brother, Allah will fulfill his needs; that who brought his [Muslim] brother out of a discomfort, Allah will bring him out of the discomforts on the Day of Resurrection, and that who veiled a Muslim, Allah will screen him on the Day of Resurrection.⁹⁸

١٨٥٢ حدثني أحمد بن محمد أخبرتنا عبد الله بن المبارك أخبرتنا يحيى بن عبيد الله عن أبيه عن أبي هريرة قال قال رسول الله صلى الله عليه وسلم إن أخذكم امرأة أخيه فإن زأى به أدى فليطعه عنه *

“Abi Hurairah reported that Rasul-Allah ﷺ said: Verily any one of you is a mirror to his brother, if he sees any dust therein, he must throw it off.”⁹⁹

The Muakhah

The *muhajirun* who had come from Makkah to Madinah faced various economic, social and health problems. It is well known that the *muhajirun* had left their families and most of their wealth in Makkah. Their skill was in trade and business in which Quraish were proficient, not in agriculture and crafts, which formed the two important bases of economy of Madinah. After leaving everything in Makkah *muhajirun* felt loneliness at Madinah, climate of Madinah too affected their health, some of them suffered from fever. This situation needed urgent attention, and the temporary solution involved going beyond the normal customs of hospitality. The *ansar* did not hesitate in offering help they displayed examples of sacrifices and selflessness which deserved to be preserved eternally in the Qur'an.

وَالَّذِينَ تَبَوَّءُوا الدَّارَ وَالْإِيمَانَ مِنْ قَبْلِهِمْ يُحِبُّونَ مَنْ
هَاجَرَ إِلَيْهِمْ وَلَا يَجِدُونَ فِي صُورِهِمْ حَاجَةً
مِمَّا أُوتُوا وَيُؤْثِرُونَ عَلَىٰ أَنْفُسِهِمْ وَلَوْ كَانَ بِهِمْ خَصَاصَةٌ وَمَنْ يُوقِ
شَخْصًا نَفْسَهُ فَأُولَٰئِكَ هُمُ الْمُتَّقُونَ ﴿٩﴾

But those who, before them, had homes [in Madinah] and had adopted the Faith, show their affection to such as came to them for refuge, and entertain no desire in their hearts for things given to the [latter], but give them preference over themselves, even though poverty was their [own lot]. And those saved from the covetousness of their own souls; they are the ones that achieve prosperity. (al Hashr 59:9)

٣٤٩٦ م رثا إسماعيل بن عبد الله قال حدثني إبراهيم بن سفيان عن أبيه عن جده قال لما قدموا المدينة أرى رسول الله صلى الله عليه وسلم بين عبد الرحمن بن عوف وسعد بن الربيع قال لعبد الرحمن إني أكثر الأنصار مالا فأقسم مالي بضمي ولس امرأتان فأنظر أعجبتهما إليك فسمتها إني أطلقها فإذا انقضت عدتها فتزوجها قال بركة الله لك في أهليك ومالك أبين سوفكم فدلوه على سوق بئس قبيلنا فما انقلب إلا ومعه فضل من أقطر وسمي ثم تابع العدو ثم جاء يوما وبه أثر صفرة فقال النبي صلى الله عليه وسلم مهيم قال تزوجت قال كم نسفت إليها قال نواة من ذهب أو وزن نواة من ذهب شك إبراهيم

Ibrahim reported from his father and he from his father: When the emigrants reached Madinah, Allah's Rasul ﷺ established the bond of fraternity between 'Abd al Rahman and Sa'id Ibn al Rabi'. Sa'id said to 'Abd al Rahman: I am the richest of all the *ansar*, so I want to divide my property [between us] and I have two wives, so which of the two you like and tell me, so that I may divorce her, and she finishes her prescribed period [*idah*] then marry her. 'Abd al Rahman said: May Allah blesses your family and property to you; where is your market? So they showed him the Quinuqa market, [he

went there and] returned with a profit in the form of dried yoghurt and butter. He continued going [to the market] till one day he came bearing the traces of yellow scent. Al-Nabiyy ﷺ asked him: what is this [scent]? He replied: I got married. He asked: How much endowment did you give her? He replied: I gave her a date stone of gold or a gold piece equal to the weight of a date stone. [The narrator is in doubt as to which is correct].¹⁰⁰

The generosity of the *ansar* was so great that they suggested to the Rasul-Allah ﷺ that they divide their palm orchards between themselves and the *muhajirun*, because the palm orchards were the source of income for many of them. Rasul-Allah ﷺ asked the *ansar* to manage the palm plantations and to keep them for themselves but to share the dates with the *muhajirun*.

٣٤٩٨ حدثنا الصلت بن ميمون بن ميمون قال سمعت النخيلة بن عبد الرحمن حدثنا أبو الزناد عن الأعرج عن أبي هريرة رضي الله عنه قال قالت الأنصار أقيم بيننا وبينهم الشغل قال لا قال يكفوننا المونة ويؤمروننا في الثمر قالوا سمعنا وأطعنا

Abi Hurairah narrated: The *ansar* said, please divide the date-palm trees between us and them. Rasul-Allah ﷺ said: No, the *ansar* said: let them [i.e. the emigrants] do the labour for us in the gardens and share the date fruits with us. The emigrants said: We accepted this.¹⁰¹

The *ansar* offered all their extra land to Rasul-Allah ﷺ and said to him: If you want, take our houses 'He thanked them and had houses built for his Companions on the land which the *ansar* had offered him and other land which was not owned by anybody.

This generous treatment deeply moved the *muhajirun* and they spoke openly about the generosity of the *ansar*. Anas narrated that the *muhajirun* said: 'O Rasul-Allah ﷺ, we have never come to a people like the (*ansar*)! If they have a little, they are the best people we have seen when it comes to giving support; and if they have much, they are the best in sacrificing it. They have given us every thing we need, allowing us a share in their happiness to such an extent that we were afraid that they would take all the reward from Allah. Rasul-Allah ﷺ said: No, as long as you commend them and pray for them.

The legislation of the system of *Muakhah*

Despite the sacrifices and generosity of the *ansar*, the need remained for setting up a system which would guarantee the *muhajirun* a decent living by law, especially since the pride and status of the *muhajirun* demanded that their situation

be handled in such a way as not to make them feel that they were dependent upon the *ansar*. So the system of *muakhah* was legislated in the first year after the *hijrah*.

The announcement of this legislation took place in the house of Anas Ibn Malik, as the reports mentioned.¹⁰² The *muakhah* took place between two sides: The *muhajirun* and the *ansar*, the Rasul-Allah ﷺ established *muakhah* in pairs, one from each group.

The *muakhah* included 90 men, 45 from the *muhajirun* and 45 from the *ansar*. It was said that no *muhajir* was left without there being *muakhah* established between him and an *ansari*.¹⁰³ The sources agree that the *muakhah* which took place in Madinah was between the *muhajirun* and *ansar*.

There resulted from the legislation of the system of *muakhah* special rights between the two who had been made brothers, such as mutual support. This support was not limited to any specific matters, rather it was open-ended to cover every kind of help to face the problem of life, whether it be material help or care, advice, mutual visitation, and love. The *muakhah* also resulted in the two who had been made brothers being able to inherit from each other, with out any regard for their relatives. This brought the relationship between the two who had been made brother to a profound level which was higher than brotherhood based on kinship.

The *ansar* were happy at the prospect of making sacrifices to help their brothers, the *muhajirun*. Reports portray the depth of their commitment to the system of *muakhah* and their dedication in putting it into effect.

The annulment of inheritance among those who were made brothers

Doubtless, inheritance between the two brothers who had been made brothers-in-faith was a solution to the extraordinary circumstances in which the emerging state found itself. When the *muhajirun* had become accustomed to life in Madinah, learned how to earn a living there, and had received some of the booty from Badr which was sufficient for them, the system of inheritance returned to its natural position based on kinship ties, which was in keeping with human nature. Inheritance between the two who had been made brothers was cancelled,¹⁰⁴ by the Qur'an but kindred by blood have prior rights against each other in the Book of Allah:

وَالَّذِينَ آمَنُوا مِنْ بَعْدُ وَهَاجَرُوا وَجَاهَدُوا مَعَكُمْ فَأُولَٰئِكَ مِنْكُمْ
وَأُولُوا الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ إِنَّ اللَّهَ بِكُلِّ شَيْءٍ
عَلِيمٌ ﴿٧٥﴾

And those who accept Faith subsequently, and adopt exile, and fight for the Faith in your company, they are of you. But kindred by blood have prior rights against each other in the Book of Allah. Verily Allah is well-acquainted with all things. (al Anfal 8:75)

This verse abrogated inheritance based on the system of *muakhah*. Ibn ‘Abbas was of the opinion that verse: ‘to (benefit) every one, we have appointed shares and heirs (*mawali*) to those also, to whom your right hand was pledged (al Nisa 4:23) also abrogated inheritance based on *muakhah*. In his opinion, the *mawali* in the verse refers to those who inherited according to blood relationship, and those to whom your right hands were pledged’ are the *muhajirun* who inherited according to *muakhah*. Ibn ‘Abbas mentions that only inheritance was cancelled from the system of *muakhah*, and that assistance, support, and advice remained a moral responsibility. It was possible for the two linked by the bond of brotherhood to bequeath part of their inheritance to each other, but without this bequest they could not inherit. Imam al Nawawi meant the same when he said:’ as for inheritance, it is better for the two who have been made brothers not to inherit from each other. This is the opinion of the majority of Muslim scholars. As for *muakhah* in Islam, and making an alliance based on obeying Allah, helping each other in religious matters, cooperation in righteousness and piety and establishing the truth, this remains valid and is not abrogated.¹⁰⁵

The continuation of *Muakhah* without inheritance

It seems that the Rasul-Allah ﷺ continued to establish *muakhah* among his Companions, involving supporting, cooperating and counseling the other, but not any rights of inheritance. Likewise, there are reports which tell us that the Rasul-Allah ﷺ established *muakhah* between Abu Darda and Salman Farsi even though Salman became a Muslim between the battles of Uhud and al Khandaq.¹⁰⁶

In conclusion, the *muakhah* among believers which was legislated remains unabrogated, apart from the rights of inheritance, which have been abrogated. The believers in every age are permitted to establish *muakhah* among themselves, on a basis of support, mutual care, and advice and from this *muakhah* these could result some rights which are more specific than the rights of general *muakhah* among believers.

The response of the Muslims to the commands of Allah becomes apparent when they shed their social, local and national relationships when this is necessary in the interests of the basic beliefs and principles of Islam.¹⁰⁷

Imam Ibn Taimiyyah's views on *Muakhah*

According to Imam Ibn Taimiyyah *muakhah* took place between *muhajirin* and *ansar* in the house of Anas Ibn Malik, Sa'id Ibn Rabi' and 'Abd al Rahman of *ansar* by this *muakhah*. Imam Ibn Taimiyyah narrated Hadith of Sa'id Ibn Rabi' which we have mentioned above. Imam Ibn Taimiyyah out rightly rejects Islamic scholars this claim that *muakhah* took place between 'Aliyy and Abu Bakr, according to Imam Ibn Taimiyyah there was no *muakhah* between *muhajir* and *muhajir* or *ansar* and *ansar*, he further adds to his claim that *muhaddithun* have rejected this narrations about the *muakhah* between 'Aliyy and Abu Bakr as false. It is *muakhah* on the basis of which *muhajirun* became heirs of *ansars* till Allah revealed:

وَالَّذِينَ آمَنُوا مِن بَعْدُ وَهَاجَرُوا وَجَاهَدُوا مَعَكُمْ فَأُولَٰئِكَ مِنكُمْ
وَأُولُوا الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ فِي كِتَابِ اللَّهِ إِنَّ اللَّهَ بِكُلِّ شَيْءٍ
عَلِيمٌ ﴿٧٥﴾

And those who accept Faith subsequently, and adopt exile, and fight for the Faith in your company, they are of you. But kindred by blood have prior rights against each other in the Book of Allah. Verily Allah is well-acquainted with all things. (al Anfal 8:75)

This verse which turned heirship to relatives instead of those who became heirs due to this *muakhah*¹⁰⁸ there are differences among the Islamic scholars regarding this *muakhah* whether a person who has been made heir by *muakhah* can get any share in case dead person left no relatives? There are two opinions regarding this issue, according to Imam Abu Hanifah, person who has been made heir by *muakhah* will remain heir if dead person has left no relatives, one of the two opinions of Imam Ahmad regarding this matter also supports this view, they narrate Quranic verse:

وَلِكُلِّ جَعَلْنَا مَوْلَىٰ مِمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلَّذِينَ عَقَدْتَ
أَيْمَنُكُمْ فَأَتَوْهُم بِمَا تَنَاصَىٰ فِي كِتَابِ اللَّهِ كَانَ عَلَىٰ كُلِّ شَيْءٍ شَهِيدًا ﴿٣٣﴾

“To [benefit] every one, We have appointed sharers and heirs to property left by parents and relatives. To those, also, to whom your right hand was pledged, give their due portion. For truly Allah is witness to all things.” (al Nisa 4:33)

Second opinion is that of Imam Malik and Imam Shafi'i that, no heir ship by *muakhah* and it will not benefit any person even if dead person has left no

relatives, Imam Ahmad's second opinion supports this view their main argument is that above cited verse (al Nisa 4:33) has been abrogated.¹⁰⁹

Imam Ibn Taimiyyah did not present his personal view about this controversy, because according to him this whole issue of *muakhah* is no more relevant today there are some Ahadith which provided concrete basis for the mutual relationship of the Muslims. Imam Ibn Taimiyyah said this *muakhah* has been abrogated he cited some Ahadith:

٢٥٣٦ حدثنا عثمان بن أبي شيبة حدثنا محمد بن بشر وابن نمير وأبو أسامة عن زكريا عن سعد بن إبراهيم عن أبيه عن جبير بن مطعم قال قال رسول الله صلى الله عليه وسلم لا حلف في الإسلام وألئما حلف كان في الجاهلية لم يرد الإسلام إلا شدة

“Jubair Ibn Mu‘tim reported that Allah’s Rasul ﷺ had said: there is no alliance (*hif*) in Islam but (the *hif*) established in the pre-Islamic days [for good]. Islam intensifies and strengthens it.”¹¹⁰

Imam Ibn Taimiyyah said after that believers were made brothers by the Qur’an:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ فَأَصْلَحُوا بَيْنَ أَخَوَيْكُمْ وَاتَّقُوا اللَّهَ
لَعَلَّكُمْ تُرْحَمُونَ ﴿١٠﴾

“The Believers are but a single Brotherhood: so make peace and reconciliation between your two [contending] brothers; and fear Allah, that ye may receive Mercy.” (al Hujurat 49 :10)

٢٣١٢ حدثنا يحيى بن بكير حدثنا الليث عن عقيل عن ابن شهاب أن سألنا أخنزة أن عنده الله بن عمر رضي الله عنهما أخنزة أن رسول الله صلى الله عليه وسلم قال المسلم أخو المسلم لا يظلمه ولا يسلطه ومن كان في حاجة أخيه كان الله في حاجته ومن فرج عن مسلم كربة ففرج الله عنه كربة من كربات يوم القيامة ومن ستر مسلماً ستره الله يوم القيامة

‘Abd Allah Ibn ‘Umar narrated that: Rasul-Allah ﷺ said: A Muslim is a brother of another Muslim, so he should not oppress him, nor should he hand him over to an oppressor. Whoever fulfilled the needs of his brother Allah will fulfill his needs; That who brought his (Muslim) brother out of a discomfort, Allah will bring him out of the discomforts of the Day of Resurrection, and that who veiled a Muslim, Allah will screen him on the Day of Resurrection.¹¹¹

Imam Ibn Taimiyyah said whoever embraces Islam enters into Muslim brotherhood all believers are brothers every Muslim is bound to honour rights of his brothers even if there is no special bond or agreement between them. Allah and

His Rasul ﷺ have made believers brothers as Allah has said: (al Hujurat 49:10) Rasul-Allah ﷺ said:

وَدِدْتُ أَنِّي قَدْ رَأَيْتُ إِخْوَانِي.

“I Love to see my brothers.”¹¹²

According to Imam Ibn Taimiyyah it is obligatory for every Muslim to keep his love, anger, friendship and hatred subservient to Allah and His Rasul ﷺ. He should love those whom Allah and His Rasul love and hate those whom Allah and his Rasul ﷺ hate. He should make friendship only with those about whom Allah and His Rasul has said to be made friends and treat all those as enemies whom Allah and His Rasul has called their enemies.¹¹³

Imam Ibn Taimiyyah discussed primary objectives of *muakhah*, as we have mentioned earlier *muhajirun* at the time of migration had left their families and properties in Makkah. They, while reaching to Madinah, not only felt loneliness but also struggled hard for their livelihood thus *muakhah* was actually immediate and concrete care for their miserable conditions.

According to Imam Ibn Taimiyyah for both *muhajirun* and *ansar* the primary aim was to help one another in *al birr wa al taqwa* (virtue, righteousness and piety). This *muakhah* not only brought them close to each other emotionally, it further strengthened their ties, made them a single unit, worship to Allah and obedience to His Rasul united them as has been said:

تَجْمَعُنَا السُّنَّةُ وَتَفْرُقُنَا الْبِدْعَةُ

“Sunnah used to unite us and innovation would divide us.”

Imam Ibn Taimiyyah said after the strong bond of faith, it is not required to make any further *muakhah* type agreement between the Muslims.¹¹⁴

CHAPTER 4 B

ECONOMIC ASPECT OF ISLAM AND APPLICATION OF SUNNAH

Islam cannot approve of an economic policy however attractive its name may be and whatever pretensions of welfare it may make if it tramples the rights conferred by the *Shari'ah*. What Islam aims at is that whatever is the form or mechanism of economic activity, the principles prescribed by it should find a permanent place in such activities, under all circumstances and in all ages. All that is found on earth, in the heavens, and the oceans, the stars have been made subservient to man by Allah, He has created all these resources for the benefit of mankind. It is therefore (a) the birth right of every human being to try and secure his share out of the world. All men enjoy this right equally and none can be deprived of it, nor should one man get precedence over another. There can be no compulsion on any individual, race, or class, for taking to certain means to livelihood or adopting certain professions. All are entitled to equal opportunities in the economic realm.(b) Similarly no distinction is valid in Islam which would result in creating a monopoly of a particular means of livelihood for a particular person, class, race, or group of people. (c) Resources which are provided by nature free of cost, and which can be used directly by man may be utilized freely and every one is entitled to benefit from them to the extent of his needs. (d) It is not fair that things created by Allah for the benefit of mankind should be taken possession of by anyone and kept in an idle and unused state. Islam recognizes private ownership. The right of ownership which one may acquire by permissible legal means is to be honoured under all circumstances. Human nature has been so ordained that divergence variety and inequality among men in their modes and standard of living seems to be the most natural thing. The equality in which Islam believes is equality in respect of the opportunities of struggle for securing livelihood and climbing the upper most rung of the ladder of well being and prosperity. Islam does not agree with those who desire to enforce complete (and artificial) equality in respect of the means of production and the fruits of economic endeavour. Islam has forbidden all forms of activity which tend to damage or harm the right full interest of the individual or society. The hoarding of goods in order to artificially raise their prices, speculation, profiteering and monopoly of the essential means of production by an individual or group which lead to the deprivation of the majority, are all forbidden exploitation of all kinds is absolutely

disallowed. The institution of interest or usury has been declared unlawful in Islam. All games of chance including lotteries and horse racing have been prohibited. Islam demands that in all contractual participants, the profit as well as the risk should be shared by both the contracting parties.

مَا آفَاءَ اللَّهِ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَى فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٥٩﴾

What Allah has bestowed on His Rasul [and taken away] from the people of the townships, belongs to Allah, to His Rasul and to kindred and orphans, the needy and the wayfarer; in order that it may not [merely] make a circuit between the wealthy among you. So take what al Rasul assigns to you, and deny yourselves that which he withholds from you. And fear Allah; for Allah is strict in Punishment. (al Hashr 59:7)

It is on the basis of this fundamental principle that Islam has constructed its economic system. It makes, on the one hand, a distinction between the necessary minimum and the desirable plenitude, and on the other hand, between those orders and injunction which are accompanied by material sanctions and those which are not so, but for which Islam contents itself with persuasion and education only. In matters of inheritance the individual, rights of disposing of one's wealth, and the collective right is as much as one is a member of society must be simultaneously satisfied. In this direction Islam has taken two steps. Firstly, the obligatory distribution of the goods of a deceased person among his or her close relatives, and secondly, a restriction on the freedom of bequest through wills and testaments. While the Qur'an claims that wealth is the grace and good bestowed by Allah Almighty, it also stresses the fact that it is to be considered a mere means to certain ends, not an end itself. When one is convinced of this conception of wealth as a means to an end, it is the real cause of the acceptance of co-operation and not competition as the prevailing principle of economic life. Taxes in Islam come under two different categories; one is chargeable from Muslims and other from non-Muslims. The tax chargeable from Muslims are generally known as *zakah* and considered a religious

obligation, the non observance of which deprive a Muslim of all his rights to be located as member of the brotherhood of the faith.¹¹⁵

Trade and commerce

Trade and commerce play a very important part in the acquisition of wealth. The Muslims also spread for and wide through commercial enterprises and for propagating the religion of Islam. According to the Qur'an and the Hadith, it is next to *jihad*. The Qur'an pays a great deal of attention to commerce. It gives us encouragement to take up business. Seeking wealth through pious and lawful means has been sanctioned and encouraged. There is, therefore no sin in seeking addition of wealth after wealth. Rasul-Allah ﷺ said: Take a trade because there are nine portions in trade out of ten portions of possession.

The Companions of Rasul-Allah ﷺ carried on maritime and land trade throughout the then known world and the Arab merchants carried the torch of the new light to the darkest corners of the world. Rasul-Allah ﷺ himself carried on trade as an agent of Khadija. Abu Bakr had cloth business, 'Umar carried on corn trade 'Uthman had cloth business. Imam Abu Hanifah had cloth business. Honesty is the secret of success in every thing 'Good will' is a valuable asset to tradesmen. It cannot be attained unless there are honest and kind dealings with customers.

Rasul-Allah ﷺ classed an honest merchant with a *Anbiya'* on account of the merchants following *Shari'ah* rules in trade, classed him with the truthful on account of his being steadfast to truth, and classed him with martyrs on account of his fighting with heavy odds in trading the path of virtue and honesty in his profession. Tradesmen should be strict and impartial with regard to weights and measures.

Sale is contracted by declaration and acceptance expressed unequivocally in words or in expressions conveying the same meaning. The acceptance may be deferred until the breaking up of the meeting whether the declaration is made personally or by letter or message.

There are commonly four kinds of sale

- (a) *Muqa'dah* i.e. sale of kind for kind, barter system.
- (b) *Saraf* i.e. sale of cash for cash as sale of gold for silver.
- (c) *Salim* i.e. sale of credit for kind in cash as crops are taken for payment in future.
- (d) *Mutalaq* i.e. free sale as sale of a thing in cash for price in cash.

The power to withhold or accept in trade is called option. It occurs before the sale is complete and there are the proposals and acceptance. A purchaser has got the right of option and may reject an article upon inspection of the article if he has not seen it at the time of purchase. A seller has no option of inspection after sale.

There are two kinds of sale which are illegal. One kind is simply invalid (*fasid*) It can be validated by subsequent remark of the condition which marks it invalid. Another kind is void (*batil*). It is illegal abinitio and nothing can legalize it. In the former the purchaser can become owner, while in the latter he can not.

The following things have been declared unlawful in trade on the basis of *Shari'ah*. Hadith regarding these transactions are narrated at the end of the chapter.

- (a) *al Muzabanah* i.e. sale of a known quality for unknown quantity of price.
- (b) *al Thunnayah* i.e. sale of fruits upon trees after leaving some fruits from the subject matter of sale.
- (c) *al Mukhabarah* i.e. transfer of a limited and not absolute interest in a land.
- (d) *al Mahaqallah* i.e. sale of corn in exchange of a like quantity of wheat by conjecture.
- (e) *al Mu'amah* i.e. sale of fruits while upon trees for one year, two years or more whether the fruits appear or not.
- (f) *al Mulamasa* i.e. sale by touch.
- (g) *al Munabazah* i.e. sale by throwing stone on the commodity of sale.
- (h) *al Habal al Haballah* i.e. sale of foetus in womb.¹¹⁶

Land and labour

The Arabic word for the tilling of land of cultivation is (*harth*) and (*muzara'h*). *Muzara'h* also carries the meaning of making a contract with another for labour on land to sow and till it for a share of its produce. There is another term (*masaqat*) which means watering cultivation and gardening are most important factors of production with which people and other animals sustain themselves. Really speaking, the whole civilized world is always greatly indebted to the tillers of the soil.

The Qur'an draws attention to the necessity of turning waste-lands into gardens by making arrangements for watering it, and growing good useful crops. Hadith speaks of it as an art of great merit. Impetus is given to the cultivation of waste-land. Any how it is warned at the same time that a people who give themselves up entirely to agriculture neglecting other lines of their development, are not capable of great and glorious deeds.

The Arabic word for labour is (*ijarah*). It signifies compensation for work done, or wages paid by one man to another for the service rendered. The two basic rules, laid down in connection with labour, in Hadith, are that:

- (a) The labourer, employee or servant shall do his work faithfully and to the best of his ability and,
- (b) That the employer or master shall pay him fully for service rendered, unfaithfulness is severely condemned.¹¹⁷

Labour has been always dignified. Even *Anbiya'* who were the chosen one, of Allah engaged themselves in manual labour. Rasul-Allah ﷺ in his boyhood also even tended flocks of sheep for wages of nearly a two pica per day in Makkah. Lending and borrowing are a necessary condition in human economic and commercial transactions, and the rules relating to them are laid down in detail in the Ahadith. Every such transaction should be written down as the Qur'an directs and the writing should be dictated by the person who owes the debt.

Mortgaging of property is allowed but the apparent condition of being on a journey or there being no scribe is simply a statement of the difficulties under which it becomes a necessity. A debtor in straitened circumstances must be dealt with leniency, and if he is unable to pay, the debt may be remitted. Contracting a debt, when a man did not intend to pay, is denounced and Rasul-Allah's ﷺ anxiety to pay his debt is shown in Ahadith. Deferring payment by one who has the means is condemned as unjust and may even be punished.

Economic conception of Islam

The economic conception of Islam lies in man's relationship with Allah, His universe and His people. It is a total commitment to the will of Allah, involving both submission and a mission to pattern to human life in accordance with his will. The will of Allah constitutes the source of value and becomes the end of human endeavor. Life on earth is a test, and its purpose should be to prove successful in the test by doing Allah's will. The entire universe with all the natural resources and powers is made amenable to exploitation by man, though it is owned by Allah and Allah alone. Life on earth being a test and all the provisions available to man being in the nature of a trust, man is accountable to Allah and his success in the life Hereafter depends on his performance in this life on earth. This adds a new dimension to the valuation of things and deeds in his life.

The relationship between man and man is sharing the bounties of Allah. It is agreed that for the test life is to be conducted in fair circumstances and no one should go without an adequate share of resources that are needed for survival and a good life. Equality of opportunity and social care of disabled is the minimum

that this calls for. It is also agreed that Islam rejects asceticism and a good life means, among other things, a materially well provisioned life. Sufficiency (*kifayah*) and peace (*amn*) are two inalienable features of the good life envisaged by Allah, a point that finds the widest support in the literature on the subject. Men are encouraged to avail themselves of the vast opportunities of productive enterprise afforded by the almost limitless bounties of Allah; given the right motivation all economic activities assume the character of worship (*'ibadah*).

Legitimate individual needs include the fulfillment of personal needs and those of the family. Saving to provide for the future and desire to leave on inheritance are also recognized as proper ends of productive effort. The minimum necessary for survival is in fact of duty to earn.

Eradication of hunger and poverty, disease and illiteracy and mobilization of resources for strengthening the Islamic state and spreading the message of Allah are stated to be the laudable aims of individual economic activities. One who engages in production activities for these purposes is doing Allah's will, and is promised adequate rewards here and Hereafter.

In Islam real ownership belongs to Allah, man holds property in trust (*amanah*) for which he is accountable to Him, in accordance with rules clearly laid down in the *Shari'ah* and the economic philosophy. Acquisition of property as well as its use and disposal are subject to limits set and should be guided by the norms laid down by Allah. Absolute ownership of man is a concept alien to Islam, as it belongs to Allah alone. The rule in Islam is that all rights belonging to Allah are for the good of the individual as well as the society.

The individual, the society and the state each have claims on property rights in view of the principle that the Islamic State has a jurisdiction over individual rights being the embodiment of Allah's vicegerency on earth and representative of the people. The jurisdiction is, however, functional, depending upon the values and objectives cherished by Islam. Islamic State has the right to intervene in private property by regulating it, putting ceiling or confiscating after the compensation when the owner deviates from the basic role of property.

Economic relations, especially those in production and exchange of wealth, should be co-operative in nature. Rivalry and cut throat competition make no sense in this context. Co-operation is seen as the basic value in Islam's economic concept, aiming at, what is best for the society and high quality produces and the consumers. The Islamic view of co-operation does not rule out free and fair competition in the market, provided all economic agents adhere to Islamic morality.

Islam's economic conception creates a powerful drive for development. A true Muslim looks upon the developmental efforts as striving in the cause of Allah. The Muslim society orients its policies in order to ensure sufficiency and peace for all and any relaxation in this regard is looked upon as rejection of the bounties of Allah. Social justice and peace go together in an Islamic State.

As far as economic equality is concerned, Islam instituted the system of *zakah* ensure that no individual falls below a certain minimum of material well-being. The income from this *zakah* was distributed locally to the poor and the needy section of every region or province and if some surplus was left after satisfying the needs of the common people, it was remitted to the central government. Rasul-Allah ﷺ defined *zakah* in the following words:

Allah has laid down on them a *sadqah* which is taken from the rich and returned to the poor. Here the phrase, returned to the poor is very significant. It indicates that the wealth taken from the rich belongs, in fact, to the poor.

Islam found its programme on a spiritual basis invited the whole of mankind to transcend the lower level of animal life to be able to go beyond the mere ties fostered by the kinship of blood, racial superiority, linguistic arrogance and economic privilege. It invited mankind to move on to a plan of existence where, by reason of his inner excellence, man can realize the idea of the Brotherhood of man. By becoming self controlled individual, a Muslim becomes a member of the community of the righteous ones. He concerts with them to the end that the community enjoins what is right upon the rest of the world and to prohibit what is forbidden so that mankind can march forward on its way to Allah. Not withstanding the comprehensive nature of social policy in Islam, the specifically economic aspects practiced by the regime at Madinah were:

The Qur'an and Sunnah took a positive attitude to economic enterprise. The Qur'an says: it is He who has produced you from the earth and settled you there in to develop it'. And Rasul-Allah ﷺ says: There is a reward for anyone who cultivates land who produces and feeds a living being.

All types of unearned income were prohibited: Usury, gambling, monopolistic trade practices, speculation, and the meddling of middle men were ruled out by the Qur'an and Rasul-Allah's ﷺ directions. Thus, al-Nabiyy ﷺ said: monopoly is unlawful, do not trade outside the market place, and allow no go-between in urban and rural trade.

A *zakah* on the agriculture produce of Muslims, their animal possessions, their merchandise, and their possessions in precious metals, was collected as

zakah. Eight categories of deserving people were the receipts of *zakah*. This established a welfare system.

Land liberated by force and thus controlled by Islamic State was distributed on the same basis as other spoils of war, with a fifth for the State and the rest for the warriors. Land which came under Muslim control without war was not divided but became State property. The State could, therefore, own land in the following ways: by allocation, as share in spoils, and, if they cultivate it, dead land which no one else possessed. Individuals could then exploit their land either directly or indirectly through rent (*ijara*) water partnership (*mussagah*) or crop partnership (*muzarah*).

The State employed its revenue from different taxes levied on the people to finance the administration and defense. The surplus was distributed as income to all members of the community. Islam recognized the importance of material well being. The Qur'an says: 'O! You who believe, do not forbid yourself the good things which Allah made lawful for you, and do not exceed the limits.'

يَتَأْتِيهَا الَّذِينَ ءَامَنُوا لَا تُحَرِّمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ

اللَّهُ لَا يُحِبُّ الْمُعْتَدِينَ ﴿٥٧﴾

“O you who believe! Make not unlawful the good things which Allah has made lawful for you, but commit no excess; for Allah love not those given to excess.”

(al Ma'idah 5:87)

Ibn Taimiyyah's economic theory

It is inconceivable that economic matters could have escaped the attention of such a versatile genius as Imam Ibn Taimiyyah. He had witnessed ruined families and destroyed economic life since his earliest years. His own family had faced migration and suffered loss of property. He observed a general economic decline at the Mongol hands. He had contact with every class of people from the *fallahin* and artisans up to *umra'* and *sultans*. He had seen the agony of the poor classes and the exploitation by the ruling class. So deeply did this impress his dynamic and conscientious spirit that he could not keep silent. What also inspired him was that Islam as a religion does concern itself with economic problems and holds certain fundamental principles in regard to them.¹¹⁸

Imam Ibn Taimiyyah emphasized that every person must be assured a minimum standard of living sufficient for him to fulfill his obligations to the Almighty and to his brethren. Equally, he emphasized justice: that is, he sought to point out the responsibilities of the individual as well as the State, so that both

could co-operate with each other and neither was abused. According to him, justice is a value recognized by all nations. He says: 'All people agreed that the consequences of injustice are gloomy and the fruit of justice is admirable'.

Imam Ibn Taimiyyah discussed economic problems principally in two books: *al Hisbah fil Islam* 'the institution of *Hisbah* in Islam' and *al Siyasa al Shari'ah fi Islah al Rai' wal Ra'iyah* 'public and private laws in Islam'. While in the first book he discussed the market, and government intervention in economic life in the second book he deals with public income and expenditure.

Apart from these two books there are number of his works in which he explores matters related to economics. Since he was given to frequent digressions, his economic views are scattered throughout his books. We find them, especially, in his *fatawa* or legal rulings.¹¹⁹

Imam Ibn Taimiyyah takes, as his point of departure, the principle of economic freedom unless economic freedom is real and actual to raise the issue of private property labour or wage-price controls would be utterly superfluous. Obviously there can be no control unless freedom is presupposed. Control constitutes the legitimized exceptions to the rule of economic freedom. Imam Ibn Taimiyyah's argument for free enterprise is framed in statements such as this:

The people are in charge of their own wealth no one should dare to take it or any portion of it away from them without their consent, except in particular and necessary situations.'¹²⁰ He says, with respect to price controls, 'if the merchants are selling their commodities at somewhat higher prices than ordinary known, but without taking undue advantage (*zulm*) of the public, whether this price increase is due to shortage in supply or increase in population it would be unwarranted and unjust to force them to sell at the same prices.'¹²¹

It is an injustice (*zulm*) to force men to sell when they do not have to sell and to prohibit them from selling when they are legally entitled to sell; and injustice is illegal and forbidden (*haram*).¹²²

He cites other, supportive opinions such as those of Imam Malik, Ibn 'Umar al Qasim and others, when he defends the merchants against unwarranted price controls by the State particularly when they are doing all their business fairly. Likewise he cites the opinion of some of the jurists about the price control, such as Imam Malik's conclusion under given circumstances, to impose price ceilings on meat dealers.¹²³ The principle of freedom is evident in this regard, if the merchants are meeting consumers' needs sincerely and at fair prices, it is not necessary to impose price controls, but if the needs are not met by the merchants

fairly then it becomes necessary to impose just control i.e. prices that are neither depreciated nor inflated.¹²⁴

The tension, therefore, between the economic freedom of the individual and the interaction of the state constitutes a positive and healthy relationship that aims at maintaining the mutual freedom of all members of the community as is clear in Ibn Taimiyyah's discourse. For economic freedom is inseparably related to the principles of economic justice. Moreover, justice (*'adal*) is seen by Imam Ibn Taimiyyah, not only as an instrument to be utilized in the resolution of economic conflict, but indeed as the fundamental framework of the solidity of any society, regardless of its confessional position. And the opening of his treatise, he quotes, among others, a Quranic verse which asserts the truth that the very purpose of Divine revelation, through a variety of means, was indeed that justice be established among men:

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ
لِيَقُومَ النَّاسُ بِالْقِسْطِ وَأَنْزَلْنَا الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنْفَعٌ لِلنَّاسِ
وَلِيَعْلَمَ اللَّهُ مَنْ يَنْصُرُهُ وَرُسُلَهُ بِالْغَيْبِ إِنَّ اللَّهَ قَوِيٌّ عَزِيزٌ ﴿٢٥﴾

We sent aforetime Our Rusul with Clear Signs and sent down with them the Book and the Balance [of Right and Wrong], that men may stand forth in justice; and We sent down Iron, in which is [material for] mighty war, as well as many benefits for mankind, that Allah may test who it is that will help, unseen, Him and His Rusul: for Allah is Full of Strength, Exalted in Might [and able to enforce His Will].
(al Hadid 57:25)

He attests to the universal unquestionability of the noble consequence of justice, and to the historical and sociological phenomenon of the survival of just societies vis-a-vis the extinction of their decadent counterparts. This is why it is said he notes, 'Allah upholds the just State, though it be errant (*kafirah*) but abandons the unjust, even though it be believing.'¹²⁵

In his stark realism, Imam Ibn Taimiyyah declares that the well-being of the community is more possible in a framework of 'justice which may be tainted by some forms of inequity, than in a framework of inequity which may not necessarily participate (actively) in deeds of evil.' For this it is said, he concludes that Allah establishes the just state, but not the unjust though the latter be Muslim, and it is also said that the world would survive unbelief if justice prevails, but would not survive oppression even in the presence of Islam.

Justice, therefore, is the ordering principle (*nizam*) of all things. 'If the world is to thrive, it will be through justice, though this (alone) may not guarantee salvation on Judgement Day (*akhirah*) but without justice it will not stand, even though its inhabitants may have enough faith to deserve eternal reward.'¹²⁶

Justice is the safeguard of freedom for the individual (*al fard*) as well as society. It is conceived as the principle which guarantees and defends social and economic rights.

Within the context of freedom and justice, we proceed to examine Ibn Taimiyyah's conception of the role of the state in the economic life of the community, in the specific areas of labour, commerce and personal property, as representative issues in the overall scheme of his politico-economic ethic.

i. Work

Accordingly to the revelation of the Qur'an and its exemplification by the Ahadith, the doctrine of work, in Imam Ibn Taimiyyah's view, is a social and moral element in the construct of the Islamic community, in addition to its being the individual's function in its economic scheme.

As such it is regarded as an obligation upon every capable individual for the welfare of the entire community. It is agreed upon as a social necessity among the thinkers and the jurists of Islam such as al Ghazali, al Jawzi, al Shafi'i and his school and Ibn Hanbal and his school, all of whom are cited by Imam Ibn Taimiyyah. The utilization of various skills is required for self-sufficiency, so to speak or for economic independence. The economic independence of society, like its political strength, is the collective duty of its members. In this light, Imam Ibn Taimiyyah stresses the obligation of utilizing one's skill as particularly serious, by virtue of one's possession of such skill, and as necessitated by social need.¹²⁷ 'The use of physical skills' (*manafi al abdan*) is as much an obligation as the imparting of knowledge adjudication among men, the (public) fulfillment of confessional testimony, the commending of good and the prohibition of evil.

The practical implications of this doctrine are, first, that labour may be required by law, which requirement would have to be reinforced by the State authorities, and second, that in the event that this should become necessary, wage controls may be imposed, to guard against potential mutual exploitation. According to Imam Ibn Taimiyyah society needs the skills of farmers, weavers and builders, as people must have food to eat, clothes to wear and dwelling to inhabit. When the authorized official compels skilled workers to meet the people's needs for their industries, such as farming, weaving, and building he is to set an

equitable pay which neither the consumer may lower, nor the worker raise this kind of control is obligatory.¹²⁸

ii. Commerce and price control

The tension between personal freedom and the economic independence of the State is perhaps more pronounced in the case of commercial transactions than in the issue of labour, since the latter constitutes a matter of personal survival, whereas the former leaves a wider margin for such tension to exist. That is to say, it may not be as critical for a merchant constantly to market his commodities or to maintain an index of attractive prices as it may be for labourer to keep a steady practice of his skill. In the face of this and other possibilities, Imam Ibn Taimiyyah, like other jurists of Islam, recognized the necessity for the regulating commerce by indicating in the first place, what may constitute a legitimate means of gaining an income, and then some of the circumstances under which commercial control by the state may be necessary.¹²⁹

Illegitimate means of gaining income are indicated negatively in *al Hisbah* and other works of Imam Ibn Taimiyyah, by stating the unacceptable ways of obtaining it, which ways should be banned by the State. Among these he cites usury in its simple or compounded forms, gambling such as selling by chances or setting exorbitant prices¹³⁰ some of these transactions have been unanimously recognized by Islamic interpreters of *Shari'ah* as illegal. It seems, however, as is evident in the example of the Rasul-Allah ﷺ, the Companions and those who followed them, that all these modes of generating income should be prohibited, says Imam Ibn Taimiyyah.

As for the legitimate means of receiving income, particularly in commercial transaction, i.e. selling and buying Ibn Taimiyyah sees several circumstances which warrant the controlling intervention of the states.

First among the situations necessitating economic control is the demand, or the public's need, for a certain commodity. The type of control of which Imam Ibn Taimiyyah is speaking here is that of compelling merchants to sell the commodity in question, especially if it is food. 'It is within the prerogative of the authorized official to coerce a person to sell his goods for a fair price or, its market value, when it is needed by the public: as when he has in his possession food which he does not need while others are hungry, he shall be compelled to sell it for what it is

worth. For this reason, the jurists have said, he who is forced by the predicament of need may take food from another without the latter's choice, but for its fair price; and if the owner refuses to sell it for only what it is worth, he does not deserve more of prices Imam Ibn Taimiyyah said they may be divided to fair and unfair. Fair prices should be imposed when merchants refuse to sell the commodities needed by the public for their known prices. Price control in this case means no more than imposing the fair price 'on a commodity,' for merchants should abide by what Allah requires of them. Imam Ibn Taimiyyah reiterates this Hanfi qualification: Price control ought not to be imposed, however, unless without it the public is hurt.¹³¹ He also calls for support on the Shafi'i opinion which under conditions other than public demand is best favourable toward price control. His judgment, at any rate, is made on the promise that the need of the public is of nature of the Divine right¹³² which, in the idiom of Islamic law, means 'public right'.

Economic control is further necessitated in the presence of 'monopoly' which is defined by Imam Ibn Taimiyyah in terms of hoarding a needed commodity and refusing to sell it altogether for the purpose of creating a greater demand which, in turn would justify a price increase.

Imam Ibn Taimiyyah citing Hadith which says **مَنْ احْتَكَرَ فَبُيُوتِ خَائِبٌ** 'No one but an evil man monopolizes'¹³³ calls this sort of dealing 'an oppression of the consumers; and justifies the intervention of *wali al 'amar* for making the commodity in question available to the public at its fair price. He even concurs with Abu Hanifah's opinion that placing the commodity under the custody of the State for the purpose of making it available in the open market to avert public harm is a legitimate course of action.¹³⁴

Two other occasions necessitating the States economic intervention are related. They are: the case of merchants conspiring to fix prices at high levels: and that of monopolizing certain trades and products, the former is called (*tawatu*) and the latter (*hasr*).

iii. Property and its expropriation

The question of State expropriation of personal property is related to the issue of price and wage control, for while the dispossession of property for an adequate compensation by the State is not implied in the principle of sale by coercion, it may be considered synonymous with it, depending, of course, on the particular situation.

Where the expropriation of property is to be considered synonymous with sale by coercion, it, too, is considered an exception to the *Shari'ah* according to

Ibn Taimiyyah, as has been discussed above, the people are in charge of their wealth, no one can dare to take it, or any portion of it, away from them without their consent, except in particular and necessary situations. It is with respect of these particular situations that Imam Ibn Taimiyyah addresses the question of expropriation.

His guideline of public, as well as private, necessity prevails here also the example of the need for food when it is available in excess in someone's possession and another who is hungry has been cited as an occasion legitimizing coerced sale of it. Even when the need is not as dire as in the case of hungry, but is never the less real, it dictates coerced sale. Imam Ibn Taimiyyah cites as a yardstick, the controversy between two men, who came to the Rasul-Allah ﷺ for arbitration in their conflict. One had owned an estate in which the other had owned a tree; the former was annoyed by the frequent trespassing of the latter whose excuse was his ownership of the tree. The Rasul Allah commanded him either to sell it or to deed it voluntarily to the other man. When he refused, he authorized the estate owner to cut the tree down. Imam Ibn Taimiyyah concludes from this incident that the need for food, which is more urgent than the removal of the nuisance caused by the external ownership of a tree, would likewise necessitate its coerced sale needs for other than food legitimized forced sale of property: These include payments of debts or alimony, and the priority of a co-owner, over a stranger's right, to buy his co-owners share of their property. All however, are so authorized by Imam Ibn Taimiyyah under the fair price rule.

Another occasion for expropriation is the need for the usefulness of an object. Under the conditions of this need the object in question, says Imam Ibn Taimiyyah, ought to be made available for its equitable rental value. Such objects for example, may be an inn, a space in the market place, or a public bath. If the owner reserves the right not to lease it, he shall be required, in the face of public need to forfeit his right. Imam Ibn Taimiyyah then tells this rather amusing illustration. If a certain family were forced by their need to live in a certain man's house (which presumably had available space), and could find no other, he is obliged to lease it to them. If they had need further for warm covers, cooking utensils, or gardening tools, it is incumbent upon the owner to extend such objects free of charge if he himself is not in need of them. Imam Ibn Taimiyyah's conclusion, which goes further than that of Ibn Hanbal who advocates paying the fair rental value of such items, is based on the Quranic verse:¹³⁵

فَوَيْلٌ لِلْمُصَلِّينَ ۖ الَّذِينَ هُمْ عَنْ صَلَاتِهِمْ سَاهُونَ ﴿٥﴾ الَّذِينَ هُمْ

يُرَآءُونَ ﴿٦﴾ وَيَمْنَعُونَ الْمَاعُونَ ﴿٧﴾

“So woe to the worshippers who are neglectful of their *salah*, those who [want but] to be seen [of men], But refuse [to supply] [even] neighbourly needs.”

(al Ma'un 107:4-7)

Here Imam Ibn Taimiyyah may have out done his own rule of fair compensation, and thus may have broken it in the interest of socialistic altruism. For how in the case of extreme need for basic nourishment does he consistently require that forced sale be accompanied by payment of the fair market value, and at the same time suggest the free use of another man's property? It is possible though unlikely, that he extended to this situation the traditional rule of free lodging and hospitality for a stranger. If he literally meant every detail of his parable, then he has been inconsistent with his own methodology as well as the precedents of the jurists.

It appears, however, that he became somewhat over-zealous in making a legitimate point, namely that nothing which may be useful at present for a fellow human being should be withheld from him now in favour of possibly making it available at a later point for a greater personal gain. This explanation appears to be consistent with Imam Ibn Taimiyyah's overriding principle that in the economic exigencies of the community, the higher good of all should be sought above personal accumulation of wealth, through mutual cooperation and through collaboration.

Imam Ibn Taimiyyah's views on application of Sunnah in economic aspect

As we have discussed economic teachings of Islam, and Imam Ibn Taimiyyah's economic views above in detail, we will narrate here some Ahadith about *zakah* and *riba* to highlight the relevance and application of these Ahadith. There are more than 70 verses in the Holy Qur'an about *zakah* and *riba*.

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقْوَمُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ

مِنَ الْمَسِّ ذَلِكِ يَأْتِيهِمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ

وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ

إِلَى اللَّهِ وَمَنْ عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ ﴿٢٧٥﴾ بِمَحَقِّ

اللَّهُ الرِّبَا وَيُرْبَى الصَّدَقَتِ وَاللَّهُ لَا يُجِبُّ كُلَّ كَفَّارٍ أَثِيمٍ ﴿٢٧٦﴾

Those who devour usury will not stand except as stands one whom the Evil One by his touch has driven to madness. That is because they say: Trade is like usury, but Allah has permitted trade and forbidden usury.

Those who after receiving direction from their Rabb, desist, shall be pardoned for the past; their case is for Allah [to judge]; but those who repeat [the offence] are Companions of the Fire; they will Abi de therein [forever]. Allah will deprive usury of all blessing, but will give increase for deeds of charity; for He loved not creatures ungrateful and wicked. (al Baqarah 2:275-76)

يَتَأْتِيهَا الَّذِينَ غَامَتْوُ لَا تَأْكُلُوا الرِّبَا أَضْعَافًا مُّضَاعَفَةً
وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ ﴿١٣٠﴾

“O you who believe devour not Usury, doubled and multiplied; but fear Allah; that ye may [really] prosper.”

(al ‘Imran 3:130)

وَأَخْذِهِمُ الرِّبَا وَقَدْ نُهُوا عَنْهُ وَأَكْلِهِمْ أَمْوَالَ النَّاسِ
بِالْبَاطِلِ وَأَعْتَدْنَا لِلْكَافِرِينَ مِنْهُمْ عَذَابًا أَلِيمًا ﴿١١١﴾

“That they took usury, though they were forbidden; and that they devoured men's substance wrongfully; We have prepared for those among them who reject Faith a grievous punishment.”

(al Nisa 4:161)

وَمَا آتَيْتُمْ مِنْ رَبٍّ لَّيْرَبُوا فِي أَمْوَالِ النَّاسِ فَلَا يَرْبُوا عِنْدَ اللَّهِ
وَمَا آتَيْتُمْ مِنْ زَكَاةٍ يُرِيدُونَ وَجْهَ اللَّهِ فَأُولَئِكَ هُمُ الْمُضْمِعُونَ ﴿٣٩﴾

That which you lay out for increase through the property of [other] people, will have no increase with Allah: but that which ye lay out for charity, seeking the Countenance of Allah, [will increase]: it is these who will get a recompense multiplied. (al Rum 30:39)

Following verses are about the obligation of *zakah* and prohibition of *riba*, but neither we can know about the minimum amount of property liable to payment of the *zakah* nor various types of *riba* because the Holy Qur'an is silent about the *nisab* of *zakah* e.g. to whom *zakah* is obligatory, when *zakah* becomes obligatory what is minimum amount of property liable to payment of the *zakah* and similarly details of *riba* are not available in the Holy Qur'an.

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ ﴿٤٣﴾

“And be steadfast in *salah*; pay *zakah*; and bow down your heads with those who bow down [in worship].”

(al Baqarah 2:43)

وَإِذْ أَخَذْنَا مِيثَاقَ بَنِي إِسْرَءِيلَ لَا تَعْبُدُونَ إِلَّا اللَّهَ وَبِالْوَالِدَيْنِ
إِحْسَانًا وَذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَقُولُوا لِلنَّاسِ
حُسْنًا وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ ثُمَّ تَوَلَّيْتُمْ إِلَّا قَلِيلًا مِّنْكُمْ
وَأَنْتُمْ مُّعْرِضُونَ ﴿٨٣﴾

And remember We took a Covenant from the Children of Isra'il [to this effect]: worship none but Allah; treat with kindness your parents and kindred, and orphans and those in need; speak fair to the people; be steadfast in *salah*; and pay *zakah*. Then did you turn back, except a few among you, and you backslide [even now].

(al Baqarah 2:83)

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَمَا تُقَدِّمُوا لِأَنْفُسِكُمْ مِنْ خَيْرٍ تَجِدُوهُ

عِنْدَ اللَّهِ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ ﴿١١٠﴾

“And be steadfast in *salah* and pay *zakah*: and whatever good you send forth for your souls before you, you shall find it with Allah: for Allah sees well all that you do.”

(al Baqarah 2:110)

إِنَّمَا وَلِيُّكُمُ اللَّهُ وَرَسُولُهُ وَالَّذِينَ آمَنُوا الَّذِينَ يُقِيمُونَ الصَّلَاةَ

وَيُؤْتُونَ الزَّكَاةَ وَهُمْ رَاكِعُونَ ﴿٥٥﴾

“Your [real] friends are [no less than] Allah, His Rasul, and the [Fellowship of] Believers, those who establish regular *salah* and pay *zakah*, and they bow down humbly [in worship].”

(al Ma'idah 5:55)

فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ فَإِخْوَانُكُمْ فِي

الَّذِينَ وَنُفَصِّلُ الْآيَاتِ لِقَوْمٍ يَعْلَمُونَ ﴿١١﴾

“But [even so], if they repent, establish regular *salah*, and pay *zakah*, they are your brethren in Faith: [thus] do We explain the Signs in detail, for those who understand.”

(al Taubah 9:11)

إِنَّمَا يَعْمُرُ مَسَاجِدَ اللَّهِ مِنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَأَقَامَ الصَّلَاةَ وَآتَى

الزَّكَاةَ وَلَمْ يَخْشَ إِلَّا اللَّهَ فَعَسَىٰ أُولَٰئِكَ أَنْ يَكُونُوا مِنَ الْمُهْتَدِينَ ﴿٧٦﴾

“The mosques of Allah shall be visited and maintained by such as believe in Allah and the Last Day, establish regular *salah*, and pay *zakah*, and fear none [at

all] except Allah. It is they who are expected to be on true guidance.” (al Taubah 9:18)

Zakah

عن مالك أنه بلغه أن عمر بن عبد العزيز كتب إلى عامله على دمشق في الصدقة إنما الصدقة في
الحرث والعبي والمأبية *

“It reached Malik that ‘Umar Ibn ‘Abd al ‘Aziz wrote to his administrator at Damascus *zakah* is livable on gold, silver, agricultural product and livestock.”¹³⁶

١٧٧ ومحدث عن مالك عن نافع أن عبد الله بن عمر كان يقول لا تجب في مال زكاة حتى يحول عليه
الحول *

“Nafi‘ reported that ‘Abd Allah Ibn ‘Umar said that no *zakah* was livable on any property unless a full year had passed over it.”¹³⁷

Zakah on gold and silver*

١٣٧ حدثنا إسحاق بن يزيد أخبرنا شعب بن إسحاق أخبرنا الأوزاعي أخبرني يحيى بن أبي كثير أن عمر بن
يحيى بن عمار أخبره عن أبيه يحيى بن عمار بن أبي الحسن أنه سمع أبا سعيد رضي الله عنه يقول قال النبي
صلى الله عليه وسلم ليس فيما دون خمس أواق صدقة وليس فيما دون خمس ذود صدقة وليس فيما دون خمس
أوسق صدقة *

“Narrated Aba Sa‘id al Khudri: al-Nabiyy ﷺ said,
‘No *zakah* is due on property mounting to less than five *uqiya* (of silver), and no *zakah* is due on less than five camels, and there is no *zakah* on less than five wasq.”¹³⁸

According to four schools of thought *nisab* of gold is twenty (20) *dinar* Imam Ibn Taimiyyah quotes ‘Umar that, Rasul-Allah ﷺ used to collect half *dinar* for twenty (20) *dinars* and one *dinar* for forty (40) *dinars* as *Zakah*.¹³⁹

Zakah on silver

There is consensus among the Islamic scholars that *nisab* of silver is two hundred (200) *dirhams* Imam Ibn Taimiyyah quotes Jabir that, the Rasul-Allah ﷺ said: No *zakah* is due on silver less than five *uqiya*.¹⁴⁰

Imam Ibn Taimiyyah says: if silver is less than two hundred (200) *dirhams* it is not liable for *zakah*.¹⁴¹ Imam derives his opinion from above mentioned Hadith.

*.Minimum amount of property liable to payment of the *zakah* e.g. *nisab* of gold is twenty (20) *dinars* i.e. approx. 75 grams, *nisab* of silver is two hundred (200) *dirhams* i.e. approx 500 grams; *nisab* of food grains and fruit is 5 *awsiq* i.e. 673.5 kgms, *nisab* of camels is 5 camels; *nisab* of cows is 5 cows, and *nisab* of sheep is 40 sheep, etc.

Zakah on merchandise

There are two Ahadith attributed to Rasul-Allah ﷺ about the *zakah* on merchandise.

١٣٣٥ مَرْثَا مُحَمَّدُ بْنُ دَاوُدَ بْنِ سُلَيْمَانَ حَدَّثَنَا يَحْيَى بْنُ حَسَّانَ حَدَّثَنَا سُلَيْمَانُ بْنُ مُوسَى أَبُو دَاوُدَ حَدَّثَنَا جَعْفَرُ بْنُ سَعْدٍ عَنْ سَمُرَةَ بْنِ جُنْدُبٍ حَدَّثَنِي حُثَيْبُ بْنُ سُلَيْمَانَ عَنْ أَبِيهِ سُلَيْمَانَ عَنْ سَمُرَةَ بْنِ جُنْدُبٍ قَالَ أَمَّا بَعْدُ فَإِنْ رَسُولَ اللَّهِ ﷺ عَلَيْهِ وَسَلَّمَ كَانَ يَأْمُرُنَا أَنْ نُخْرِجَ الصَّدَقَةَ مِنَ الَّذِي نَعِدُّ لِلْبَيْعِ ﴿١٣٣٥﴾

“Samurah Ibn Jundub narrated: that Rasul-Allah ﷺ used to order us to pay *zakah* from the goods which we prepare for business”¹⁴².

٥٢٨ مَرْثَا عَنْ مَالِكٍ عَنْ يَحْيَى بْنِ سَعِيدٍ عَنْ زُرَيْقِ بْنِ حِثَّانٍ وَكَانَ زُرَيْقٌ عَلَى جَوَازٍ مِصْرَ فِي زَمَانِ الْوَلِيدِ وَسُلَيْمَانَ وَعُمَرَ بْنِ عَبْدِ الْعَزِيزِ فَذَكَرَ أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ كَتَبَ إِلَيْهِ أَنْ أَنْظِرَ مَنْ مَرَّ بِكَ مِنَ الْمُسْلِمِينَ فَخُذْ مِمَّا ظَهَرَ مِنْ أَمْوَالِهِمْ مِمَّا يُدِيرُونَ مِنَ التَّجَارَاتِ مِنْ كُلِّ أَرْبَعِينَ دِينَارًا دِينَارًا فَمَا نَقَصَ فِيحِسَابِ ذَلِكَ حَتَّى يَبْلُغَ عَشْرِينَ دِينَارًا فَإِنْ نَقَصَتْ فَلِكِ دِينَارٍ فَذَعُهَا وَلَا تَأْخُذْ مِنْهَا شَيْئًا وَمَنْ مَرَّ بِكَ مِنْ أَهْلِ الدِّمَةِ فَخُذْ مِمَّا يُدِيرُونَ مِنَ التَّجَارَاتِ مِنْ كُلِّ عَشْرِينَ دِينَارًا دِينَارًا فَمَا نَقَصَ فِيحِسَابِ ذَلِكَ حَتَّى يَبْلُغَ عَشْرَةَ دَنَابِيرٍ فَإِنْ نَقَصَتْ فَلِكِ دِينَارٍ فَذَعُهَا وَلَا تَأْخُذْ مِنْهَا شَيْئًا وَكَتَبَ لَهُمْ بِمَا تَأْخُذُ مِنْهُمْ كِتَابًا إِلَى مِثْلِهِ مِنَ الْحَوْلِ ﴿٥٢٨﴾

Zuraiq Ibn Hayyan who was posted as a customs officer at the Egyptian custom house in the times of Walid and Sulaiman and ‘Umar Ibn ‘Abd al ‘Aziz, reported that ‘Umar Ibn ‘Abd al ‘Aziz wrote to him to the effect that he should recover from Muslims passing his way with merchandise a duty of one *dinar* out of every forty *dinars* i.e. one-fortieth part, and if the value be less than that at the same rate until twenty *dinars* and if the value be less even by a one-third *dinar*, he should give an exemption and collect nothing and if any of the *dhimmis* should pass alongwith any merchandise, he should levy one *dinar* on every twenty *dinars* and if the value be lesser, he should levy at the same rate until ten *dinars*, and if the value be less then ten *dinars* even by a one-third *dinar* he should be granted an exemption. And whatever duty he recovered a receipt should be issued in respect of the whole year.¹⁴³

Imam Ibn Taimiyyah says that, Ibn Munzir claims that, *zakah* is obligatory on merchandise when a full year is passed over it and there is consensus on it among the Islamic scholars. ‘Umar, Ibn ‘Umar, Ibn ‘Abbas seven jurists, Imam ‘Awzai, Imam Abu Hanifah, Imam Ahmad, Imam Ishaq all are of the same opinion.¹⁴⁴

Imam Ibn Taimiyyah while quoting above mentioned Ahadith of Samurah Ibn Jundub claims that, there is consensus that, *zakah* is obligatory on free Muslim men and women when a full year is passed over property. The Rasul-Allah ﷺ says:

١٧٧ ومشي عن مالك عن نافع أن عبد الله بن عمر كان يقول لا تجب في مال ركاة حتى يحول عليه الحول ﴿١﴾

“Malik reported from Nafi‘ that, ‘Abd Allah Ibn ‘Umar used to say: that, there is no *zakah* on property unless one full year is passed over it”¹⁴⁵.

Imam Ibn Taimiyyah while narrating another Hadith in this regard, says: The Rasul-Allah ﷺ used to sent his ‘*umal* (workers/deputies) to collect *zakah* from Muslims every year and this practice was continued by his right guided successors also.¹⁴⁶

***Zakah* on camels and sheep**

Imam Ibn Taimiyyah narrates following Ahadith for *nisab* of *zakah* on camels and sheep in his *fatawa*:

١٣١١ حدثنا محمد بن عبد الله قال حدثني أبي قال حدثني لقمان أن أبا بكر رضي الله عنه حدثه أن أبا بكر رضي الله عنه كتب له فريضة الصدقة التي أمر الله رسوله صلى الله عليه وسلم من بلغت عنده من الإبل صدقة الجذعة وليست عنده جذعة وعنده حقة فإنها تقبل منه الحقة ويجعل معها شاتين إن استيسرتا له أو عشرين درهمًا ومن بلغت عنده صدقة الحقة وليست عنده الحقة وعنده الجذعة فإنها تقبل منه الجذعة ويُعطيه المصدق عشرين درهمًا أو شاتين ومن بلغت عنده صدقة الحقة وليست عنده إلا بنت لبون فإنها تقبل منه بنت لبون ويُعطى شاتين أو عشرين درهمًا ومن بلغت صدقته بنت لبون وعنده حقة فإنها تقبل منه الحقة ويُعطيه المصدق عشرين درهمًا أو شاتين ومن بلغت صدقته بنت لبون وليست عنده وعنده بنت متخاض فإنها تقبل منه بنت متخاض ويُعطى معها عشرين درهمًا أو شاتين ﴿٢﴾

Narrated Anas: Abi Bakr wrote to me about the *zakah* which Allah had ordered His Rasul ﷺ to observe: who ever had to pay *jadh'a* [four year old she-camel] as *zakah* from his herd of camels and he had not got one, and he had *hiqqa* (three year old she-camel], that *hiqqa* should be accepted from him along with two sheep if they were available or twenty *dirhams* and whoever had to pay *hiqqa* as *zakah* and he had no *hiqqa* but had a *jadh'a*. The *Jadh'a* should be accepted from him, and the *zakah* collector should pay back or return to him twenty *dirhams* or two sheeps and whoever had to pay *hiqqa* as *zakah* and he had not got one, but had a *bint labun* [two year old she-camel], it should be accepted from him along with two sheep or twenty *dirhams*, and whoever had to pay *bint labun* and had a *hiqqa*, that *hiqqa* should be accepted from him and the *zakah* collector should pay back or return him twenty *dirhams* or two sheep, and whoever had to pay *bint labun* and he had not got one but had a *bint makhad* [one year old She-camel], that *bint makhad*, should be accepted from him along with twenty *dirhams* or two sheep.¹⁴⁷

١٣١٢ حدثنا محمد بن عبد الله بن المثنى الأنصاري قال حدثني أبي قال حدثني ثمامة بن عبد الله بن أنس أن أنسًا حدثه أن أبا بكر رضي الله عنه كتب له هذا الكتاب لنا وجهه إلى البحرين بسم الله الرحمن الرحيم هذه فريضة الصدقة التي فرض رسول الله صلى الله عليه وسلم على المسلمين والتي أمر الله بها رسوله فمن سئلها من المسلمين على وجهها فليعطها ومن سئل فوقها فلا يعط في أربع وعشرين من الإبل فما دونها من الغنم من كل خمسي شاة إذا بلغت خمسين إلى خمسي وثلاثين ففيها بنت مخاض أنثى فإذا بلغت ستًا وثلاثين إلى خمسي وأربعين ففيها بنت لبون أنثى فإذا بلغت ستًا وأربعين إلى ستين ففيها جقة طروقة النجمل فإذا بلغت واحدة وستين إلى خمسي وستين ففيها جذعة فإذا بلغت ثمانين إلى تسعين ففيها بنت لبون فإذا بلغت إحدى وتسعين إلى عشرين ومائة ففيها حقن طروقة النجمل فإذا زادت على عشرين ومائة فليس كل أربعين بنت لبون وفي كل خمسين جقة ومن لم يكن معه إلا أربع من الإبل فليس فيها صدقة إلا أن يشاء ربها فإذا بلغت خمسين من الإبل ففيها شاة وفي صدقة الغنم في سائمتها إذا كانت أربعين إلى عشرين ومائة شاة فإذا زادت على عشرين ومائة إلى مائتين شاتان فإذا زادت على مائتين إلى ثلاث مائة ففيها ثلاث شيات فإذا زادت على ثلاث مائة فليس كل مائة شاة فإذا كانت سائمة الرجل ناقصة من أربعين شاة واحدة فليس فيها صدقة إلا أن يشاء ربها وفي الرقة ربع العشر فإن لم تكن إلا تسعين ومائة فليس فيها شاة إلا أن يشاء ربها ❁

Narrated [Anas]: when Abi Bakr sent me [to collect the *zakah* from] Bahrain, he wrote to me the following:

In the Name of Allah, the Most Beneficent, the Most Merciful. These are the orders for *zakah* which Allah's Rasul ﷺ had made obligatory for every Muslim, and which Allah has ordered His Rasul ﷺ to observe: Whoever amongst the Muslims is asked to pay *zakah* accordingly, he should pay it (to the *zakah* collector) and whoever is asked more than that (what is specified in this script) he should not pay it for twenty for (24) camels or less, sheep are to be paid as *zakah*; for every five (5) camels one sheep is to be paid, and if there are between twenty five (25) to thirty five (35) camels, one *bint makhad* (one year old She-camel) is to be paid, and if they are between thirty six (36) to forty five (45) camels, one *Bint labun* (two year old she-camel) is to be paid, and if they are between forty six (46) to sixty (60) camels, one *hiqqa* (three year old she-camel) is to be paid, and if the number is between sixty one (61) to seventy five (75) camels, one *Jadh'a* (four year old she-camel) is to be paid, and if the number is between seventy six (76) to ninety (90) camels, two *bint labun* are to be paid, and if they are from ninety one (91) to one hundred and twenty (120) camels, two *hiqqa* are to be paid, and if they are over one hundred and twenty (120) camels, for every forty (40) (over one hundred and twenty) one *bint labun* is to be paid, and for every fifty (50) camels (over one hundred and twenty) one *hiqqa* is to be paid, and whoever has got only for (4) camels, has

to pay nothing as *zakah*, but if the owner of these four (4) camels wants to give some thing, he can. If the number of camels increases to five (5), the owner has to pay one sheep as *zakah*. As regards the *zakah* for the (flock) of sheep, if they are between forty (40) and one hundred and twenty (120) sheep one sheep has to be paid; and if they are between one hundred and twenty (120) to two hundred (200) sheep, two (2) sheep are to be given, and if they are between two hundred (200) to three hundred (300) sheep, three sheep are to be given and for over three hundred (300) sheep, one sheep to be given as *zakah*. And if some body has got less forty (40) sheeps, no *zakah* is required, but if he wants to give, he can. For silver the *zakah* is one-fortieth of the lot (i.e. 2.5%), and if its value is less than two hundred *dirhams* (i.e. approx 640 grams) there is no *zakah*, but if the owner wants to pay he can.¹⁴⁸

***Zakah* on cows and bullocks**

Imam Ibn Taimiyyah quotes Ibn Munzir that, there is no difference between bullock and cow as far as *zakah* collection is concerned *nisab* for both is one.

٥٣١ حدثني يحيى عن مالك عن حميد بن قيس التميمي عن طاووس التميمي أن معاذ بن جبل الأنصاري أخذ من ثلاثين بقرة تبيعاً ومن أربعين بقرة مبيته وأين بما دون ذلك فأبى أن يأخذ منه شيئاً وقال لم أسمع من رسول الله صلى الله عليه وسلم فيه شيئاً حتى ألقاه فأسأله فنوفى رسول الله صلى الله عليه وسلم قبل أن يقدم معاذ بن جبل

Tawus al Yamani reported: Mu'adh Ibn Jabal al Ansari took (as *zakah*) a one year old cow on 30 cows and a cow of two years on 40 cows and where the number was smaller, he took nothing saying: I have heard nothing from the Rasul-Allah ﷺ in this respect and shall enquire from him.¹⁴⁹

There are differences among the Islamic scholars about the obligation of *zakah* on agricultural products and green vegetables while quoting Hadith.

٨٠٥ رثا هشام بن عمار حدثنا إسماعيل بن عتياب عن محمد بن عتيب اللخمي عن عمرو بن شعيب عن أبيه عن جده قال إنما سن رسول الله صلى الله عليه وسلم الزكاة في هذه الخمسة في الجعظية والشعير والنصر والزبيب والذرة

“Amr Ibn Shu'aib narrated from his father and he from his father that, *zakah* should be collected from wheat, dried grapes, dates and barley.”¹⁵⁰

Imam Ibn Taimiyyah seems to be in agreement with those Islamic scholars whose opinion is that, *zakah* is obligatory for only those agricultural products and dry fruits which can be stored. He is of the opinion that, there is no *zakah* for

vegetables. Imam Ibn Taimiyyah derives this opinion from Imam Malik's views on vegetables.¹⁵¹

Imam Malik said: There is no difference of opinion on this practice we have heard the same from men of learning, not levying any *zakah* on fruits or on vegetables.¹⁵²

According to authentic Hadith narrated by Abu Sa'id Khudri there is no *zakah* on agricultural products and dry fruits less than five (5) *wasq* approx 775 Kgs.

The *nisab* of *zakah* on grains and dry fruits varies according to available irrigation system. '*ushr*' (i.e. one tenth of the yield be levied as *zakah*) is to be imposed on the yield of the land which is either irrigated by rain or the running water channel, and on the land irrigated by the well, half of an '*ushr*' (i.e. one twentieth) is compulsory. Imam Ibn Taimiyyah narrates following Hadith in this regard.

١٢٨٨ حدثنا سعيد بن أبي مزينة حدثنا عبد الله بن وهب قال أخبرني يونس بن يزيد عن الزهري عن سالم بن عبد الله عن أبيه رضي الله عنه عن النبي صلى الله عليه وسلم قال فيما سقت السماء والعيون أو كان عقرى الغدير وما سبق بالنضح نصف العشر

Salim Ibn 'Abd Allah narrated from his father that, al-Nabiyy ﷺ said: On a land irrigated by rain water or by natural water channels or if the land is wet due to nearby water channel '*ushr*' (i.e. one tenth) is compulsory (as *zakah*) and on the land irrigated by the well, half of an '*ushr*' (i.e. one twentieth) is compulsory.¹⁵³

Zakah on mines and buried treasures

According to majority of Islamic scholars there is a difference between mines and buried treasures, according to Imam Malik and Imam Shafi'i *rikaz* (buried treasure) is a treasure of *jahiliyah* period whatever derives from it one fifth will be collected from it. Imam Ibn Taimiyyah is of the same opinion that one fifth will be collected from *rikas* (treasure) and *zakah* on *ma'dan* (mines) is same as on gold and silver. Imam Ibn Taimiyyah narrates following Ahadith in the regard.

٢٩٧٧ حدثنا مسدد حدثنا سفيان عن الزهري عن سعيد بن المسيب وأبي سلمة سمعا أبا هريرة يحدث عن رسول الله صلى الله عليه وسلم قال العتقاء جمرتها جبار والمعدون جبار واليفر جبار وفي الزكاري الخمس

“Narrated Abi Hurairah Allah's Rasul ﷺ said there is no compensation for one killed or wounded by an animal or by falling in a well, or because of working in mines but *khums* is compulsory on *rikaz*”¹⁵⁴

٥١٩ حدثني يحيى عن مالك عن ربيعة بن أبي عبد الرحمن عن غير واحد أن رسول الله صلى الله عليه وسلم قطع لبلال بن الخارث المزني معاين القليلية وهي من ناحية المزع فيلك المعادين لا يؤخذ منها إلى اليوم إلا الزكاة ❁

Rabi' Ibn Abi 'Abd al-Rahman reported from several people that, Rasul-Allah ﷺ awarded Bilal Ibn Harith Muzanni mines at Qabliyyah situated towards *Fur'* and from these mines nothing was recovered except *zakah*.¹⁵⁵

There is an absolute agreement among the Islamic scholars that *zakah* and *khums* becomes obligatory on *ma'dan* and *rikaz* soon one finds them.

According to Imam Ibn Taimiyyah people need trade and business as they need food, water and clothing for their daily life thus *Shari'ah* prescribes just and reasonable business laws and prohibits unjust and evil business practices for them.¹⁵⁶

Riba

Usury is of two major kinds: (a) *riba nasi'a* i.e. interest on lent money; (b) *riba fadl*, i.e. taking a superior thing of the same kind of goods by giving more of the same kind of goods of inferior quality e.g. dates of superior quality for dates of inferior quality to greater amount. Islam strictly forbids all kinds of usury. Practice of *riba nasi'a* was common in Makkah and Madinah and is common in its various manifestations even today. Islam forbids this usury in strict language. Majority of Islamic scholars did not accept the theory of division in usury into two kinds a) interest on business loan b) interest on non-business loan, former as lawful and latter as unlawful as has been presented by some scholars. According to Imam Ibn Taimiyyah it is not extra money only which one receives from borrower is usury, if he receives any benefit even a gift from borrower that too is usury.¹⁵⁷

Imam Ibn Taimiyyah derives his views from following Ahadith:

٢٩٩٥ حدثنا محمد بن الصباح وزهير بن حرب وعثمان بن أبي شيبة قالوا حدثنا هشيم أخبرنا أبو الزبير عن جابر قال قال رسول الله صلى الله عليه وسلم آكل الربا وموكله وكاتبه وشايعه وقال هم سواء ❁

“Narrated Jaber: Rasul-Allah ﷺ curses one who takes interest, pays interest, and writes deed for it and those who bear witness for it.”¹⁵⁸

Riba al nisi'a

There is no usury (in money exchange) when it is not done from hand to hand.

٢٠٣٢ حدثنا علي بن عبد الله حدثنا الضحاك بن مخلد حدثنا ابن جزيج قال أخبرني عمرو بن دينار أن أبا صالح الزيات أخبره أنه سمع أبا سعيد الخدري رضي الله عنه يقول الدينار بالدينار والدرهم بالدرهم فقلت له فإن ابن عباس لا يقول ففقال أبو سعيد فقلت سمعته من النبي صلى الله عليه وسلم أو وجدته في كتاب الله قال كل ذلك لا أقول وأنتم أعلم بربنا رسول الله صلى الله عليه وسلم متى وتكون أخبرني أسامة أن النبي صلى الله عليه وسلم قال لا ربا إلا في النسيئة ❊

Aba Salih al Zayat narrated: I heard Abu Sa'id al Khudri saying: the selling of a *dinar* for a *dinar* and a *dirham* for a *dirham* is [lawful] I said to him: Ibn 'Abbas does not say the same. Abu Sa'id replied: I asked Ibn 'Abbas whether he had heard it from al-Nabiyy ﷺ or seen it in the Book. Ibn 'Abbas said: I do not claim that, and you know Allah's Rasul ﷺ better than me. 'Usama informed me that al-Nabiyy ﷺ had said: there is no usury (in money exchange) except when it is not done from hand to hand.¹⁵⁹

١٨٠ ومثني مالك عن زيد بن أسلم أنه قال كان الربا في الجاهلية أن يكون للرجل على الرجل الحق إلى أجل فإذا حل الأجل قال أتفليس أم نزي فإن قفس أخذ وإلا زاده في حقه وأخر عنه في الأجل ❊

Zaid Ibn Aslam reported that interest in pagan times was of this nature when a person owed money to another man for a certain period and after the expiry of the period, the creditor would say: You pay me the amount or pay the interest. If he paid the amount, it was well and good; otherwise the creditor increased the loan amount and extended the period for payment again.¹⁶⁰

Riba al fadl

Is to exchange the superior things of the same kind of goods by inferior one. Imam Ibn Taimiyyah narrates following Ahadith in this regard in his *fatawa*.

٢٠٢٥ حدثنا أبو الوليد حدثنا الليث عن ابن شهاب عن مالك بن أوسي سمع عمر رضي الله عنهما عن النبي صلى الله عليه وسلم قال الربا بالنز بالنز إلا هاء وهاء والشعير بالشعير ربا إلا هاء وهاء والشمر بالشمر ربا إلا هاء وهاء ❊

Narrated 'Umar Ibn Khattab: al-Nabiyy ﷺ said, the bartering of gold for gold, is *riba*, (usury), except if it is from hand to hand and equal in amount, and wheat grain for wheat grain is *riba* (usury) except it is from hand to hand and equal in amount, and dates for dates is *riba* (usury) except if it is from hand to hand and equal in amount, and barley for barley is *riba* (usury) except if it is from hand to hand and equal in amount.¹⁶¹

٢٠٢٩ حدثنا صدقة بن الفضل أخبرنا إسماعيل بن علقمة قال حدثني يحيى بن أبي إسحاق حدثنا عبد الرحمن بن أبي بكر قال قال أبو بكر رضي الله عنه قال رسول الله صلى الله عليه وسلم لا تبغوا الذهب بالذهب إلا سواء بسواء والفضة بالفضة إلا سواء بسواء وبغوا الذهب بالفضة والفضة بالذهب كيف شئتم ❊

Narrated Abi Bakrah: Rasul Allah ﷺ said: do not sell gold for gold unless whole measure are equal in weight, nor silver for silver unless equal in weight, but you could sell gold for silver or silver for gold as you like.¹⁶²

Imam Ibn Taimiyyah narrates various unlawful business transactions in his *fatawa*; he derives his opinion about these unlawful transactions directly from Ahadith and narrates these Ahadith in his *fatawa* comprehensively. He discussed various unlawful business transactions in his *fatawa* some of them are as follows:

Habal al habala

١٩٩٩ حدثنا عبد الله بن يوسف أَخْبَرَنَا مَالِكٌ عَنْ نَافِعٍ عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ بَيْعِ حَبْلِ الْخَيْلَةِ وَكَانَ بَيْعًا يَتَّبِعُهُ أَهْلُ الْجَاهِلِيَّةِ كَانَ الرَّجُلُ يَبْتَاعُ الْخَزْوَازَ إِلَى أَنْ تُنْتَجِ الثَّاقَةُ ثُمَّ تُنْتَجِ الْبَيْسُ فِي بَطْنِهَا ❊

‘Abd Allah Ibn ‘Umar narrated Rasul-Allah ﷺ had forbidden the sale called *Habal al habala*, which was a kind of sale practiced in the pre-Quranic period of ignorance. One would pay the price of a she camel which was not born yet but would be born by the immediate offspring of an extent she camel.¹⁶³

al Najash*

١٩٩٨ حدثنا عبد الله بن مسleme حَدَّثَنَا مَالِكٌ عَنْ نَافِعٍ عَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ نَهَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ النَّجَشِ ❊

“Nafi‘ Narrated from Ibn ‘Umar al-Nabiyy ﷺ has forbidden *Najash*. ”¹⁶⁴

Mulamasa and Munabadha

٢٠٠٢ حدثنا إسماعيل قَالَ حَدَّثَنِي مَالِكٌ عَنْ مُحَمَّدِ بْنِ يَحْيَى بْنِ عَثَانَ وَعَنْ أَبِي الزِّنَادِ عَنِ الْأَعْزَجِيِّ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الْمُلَامَسَةِ وَالْمُنَابَذَةِ ❊

“Abi Hurairah narrated: that, Rasul Allah ﷺ has forbidden the selling of *mulamasa* and *munabadha*. ”¹⁷⁵

Muhaqala

٢٠٢٨ حدثنا مسددٌ حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الشَّيْبَانِيِّ عَنْ عِكْرِمَةَ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ نَهَى النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ ❊

“Ibn ‘Abbas said: al-Nabiyy ﷺ has forbidden the sales called *muhaqala* and *muzabana*. ”¹⁶⁶

**Najash* means to offer a high price for something without having the intention to buy it but just to cheat somebody else who really wants to buy it. Such a person may agree with the seller to offer high prices before the buyers to cheat them, in which case both this man and the seller are sinful. The seller may falsely

tell the buyer that he (i.e. the seller) has previously brought the goods at a certain price which is in reality higher than the actual price.

٢٠٧ مَرْثَا مُحَمَّدُ بْنُ عَمْرٍو حَدَّثَنَا الْمَكْنُ أَخْبَرَنَا ابْنُ جُرَيْجٍ قَالَ أَخْبَرَنِي زَيْدُ بْنُ أَبِي نَابِثَةَ مَوْلَى عَبْدِ الرَّحْمَنِ بْنِ زَيْدٍ أَخْبَرَهُ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ اشْتَرَى غَنَمًا مُصْرَاةً فَأَخْلَتْهَا فَإِنْ رَجَعَتْهَا أَمْسَكَهَا وَإِنْ سَخَطَهَا فَبِئْسَ خَلِيلُهَا صَاعٌ مِنْ تَمْرٍ ❊

Narrated Abi Hurairah: Rasul-Allah ﷺ said: Don't keep camels and sheep un-milked for a long time, for that who buys such an animal has the option to milk it and then either to keep it or return it to the owner along with one measure of dates.¹⁶⁷

Some narrated from Ibn Sirin that Rasul-Allah ﷺ had said: One measure of wheat, and he has option for three days. And some narrated from Ibn Sirin: a measure of dates, not mentioning the option for three days. But measure of dates is mentioned in most narrations.

Mukhabarah*

٢٨٥٦ مَرْثَا إِسْحَقُ بْنُ إِسْرَاهِيمَ الْخَنْظَلِيُّ أَخْبَرَنَا مَخْلَدُ بْنُ زَيْدٍ الْجَزَوِيُّ حَدَّثَنَا ابْنُ جُرَيْجٍ أَخْبَرَنِي عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ الْمُخَابَرَةِ وَالْمُخَافَلَةِ وَالْمُزَابَنَةِ وَعَنْ بَيْعِ الشَّمْرِ حَتَّى يُطْعِمَ وَلَا تَبَاعَ إِلَّا بِالْأَرْطَابِ إِلَّا الْغَرَائِبَ قَالَ غَطَاءٌ فَسَرَّ لَنَا جَابِرٌ قَالَ أَمَّا الْمُخَابَرَةُ فَالْأَرْضُ الْبَيْضَاءُ يَذْفُقُهَا الرَّجُلُ إِلَى الرَّجُلِ فَيُشْفِقُ فِيهَا ثُمَّ يَأْخُذُ مِنَ الشَّمْرِ وَزَعَمَ أَنَّ الْمُزَابَنَةَ بَيْعُ الرُّطْبِ فِي الشَّجْلِ بِالشَّمْرِ كَيْلًا وَالْمُخَافَلَةُ فِي الرَّزْعِ عَلَى نَحْوِ ذَلِكَ يَبِيعُ الرَّزْعَ الْقَائِمَ بِالْحَبِّ كَيْلًا ❊

Jabir Ibn 'Abd Allah reported that Allah's Rasul ﷺ had forbidden *mukhabarah*, *muhaqala*, and *muzabana* and the sale of fruit until their good condition become clear, and [he commanded] that [commodities] should not be sold but for the *dinar* and *dirham* except in case of *'araya*.¹⁶⁸

Ihtikar

٢٠١٢ مَرْثَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ بْنِ قَعْتَبٍ حَدَّثَنَا سَلَمَةُ بْنُ بَغْسٍ ابْنُ بِلَالٍ عَنْ يَحْيَى وَهُوَ ابْنُ سَعِيدٍ قَالَ كَانَ سَعِيدُ بْنُ الْمُسَيَّبِ يُحَدِّثُ أَنَّ مَقْمَرًا قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ اخْتَكَرَ فَهُوَ خَاطِبٌ فَقِيلَ لِسَعِيدٍ فَإِنَّكَ تَخْتَكِرُ قَالَ سَعِيدٌ إِنْ مَقْمَرًا الْوَيْ كَانَ يُحَدِّثُ هَذَا الْخَبْرَ كَانَ يَخْتَكِرُ ❊

“Ma‘mar reported that Allah’s Rasul ﷺ had said: whosoever hoards is a sinner.”¹⁶⁹

Shuf'a

٢٠١٨ مَرْثَا أَبُو الطَّاهِرِ أَخْبَرَنَا ابْنُ وَهْبٍ عَنْ ابْنِ جُرَيْجٍ أَنَّ أَبَا الزُّبَيْرِ أَخْبَرَهُ أَنَّهُ سَمِعَ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الشُّفْعَةُ فِي كُلِّ يَرْكٍ فِي أَرْضٍ أَوْ رَنْعٍ أَوْ خَاطِبٍ لَا يَصْلَحُ أَنْ يَبِيعَ حَتَّى يَبْعُرَ عَلَى شَرِيكِهِ فَيَأْخُذَ أَوْ يَدَّعِ فَإِنْ أَبَى فَشَرِيكُهُ أَخِي بِهِ حَتَّى يُؤَدَّه ❊

Narrated Jabir: Rasul-Allah ﷺ gave pre-emption (to the partner) in every joint property, but if the boundaries of the property were demarcated or the ways and streets were fixed, then there was no pre-emption.¹⁷⁰

*According to this system, land is leased out for cultivation to the cultivator and the yield is shared between him and the landowner according to the agreement. In some cases the

seed is supplied by landowner whereas in others, it is acquired and supplied by the tenant himself.

Sale of dog*and income of prostitute

٢٩٣٠ مَرْثَا يَحْيَى بْنُ يَحْيَى قَالَ قَرَأْتُ عَلَى مَالِكٍ عَنْ ابْنِ شِهَابٍ عَنْ أَبِي بَكْرٍ بْنِ عَبْدِ الرَّحْمَنِ عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ ثَمَنِ الْكَلْبِ وَمَهْرِ الْبَيْعِ وَخُلُوتِ الْكَاهِنِ ❊

“Abi Mas‘ud al Ansari reported that Rasul-Allah ﷺ has forbidden the price of dog and earnings of a prostitute and douceur offered to a wizard.”¹⁷¹

Sale of wine, swine, carcass and idols

٢٠٨٢ مَرْثَا قُتَيْبَةُ حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ عَطَاءِ بْنِ أَبِي زَيْنَادٍ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا أَنَّهُ سَمِعَ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ غَامُ الْفَتَحِ وَهُوَ بِمَكَّةَ إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْمَةِ وَالْجَنْزِيرِ وَالْأَصْنَامِ ❊

Jabir Ibn ‘Abd Allah reported that Rasul-Allah ﷺ has said: in the year of victory while he was in Makkah: Verily Allah and His Rasul ﷺ have forbidden the selling of wine, carcass, swine and idols.¹⁷²

It was said: Allah’s Rasul ﷺ, you see that the fat of the carcass is used for coating the boats and varnishing the hides and people used it for lighting purposes, where upon he said: No, it is forbidden. Then Rasul-Allah ﷺ said: May Allah the Exalted and Majestic destroy the Jews; when Allah had forbidden the use of fat of the carcass for them, they melted it, and then sold it and made use of its price (received from it).

It becomes clear only by Ahadith; some of them mentioned above, what exactly is the definition of *riba*? What are its various kinds, which type of business transactions, are *riba* also? Particularly it was not possible for us to know about *riba al fadl* as it is called *riba khafi* (hidden *riba*) one can not understand its various deals by the Quranic verses alone. Similarly the Quranic verses are silent about the (*Baya al gharar*) which business transactions are unlawful the Qur’an provides general guideline about that, that one should not take money from others by deception and unlawful means but which business deal is lawful or unlawful it is Ahadith which clears this ambiguity, and makes economic teachings of Islam not only practicable but also provides comprehensive details of the business laws.

*Exception is made in case of dogs which are tamed for hunting purposes or for watching the house or fields or herds. The famous jurists Ibrahim Nakh‘ i Imam Abu Hanifah and Hanifah and Imam Yusuf all allow its sale if required for these purposes.

CHAPTER 4 C

POLITICAL ASPECT OF ISLAM AND APPLICATION OF SUNNAH

State and sovereignty

The word 'sovereignty' is derived from the Latin word 'Superamus' which means supreme. The definitions of the term are varied but it always signifies the biggest governmental and legal authority of some sort. In the terminology of political science, this word is used in the sense of absolute over lordship or complete suzerainty. If a person or group of persons or an institution is to be sovereign, it would mean that the word of that person, group or institution is law. A sovereign has the undisputed right to impose his orders on all subjects of the state and the subjects are under an absolute obligation to obey him, be it willingly or unwillingly. No outside agency, accepting his own will imposes any limitations or restriction on his power to rule. Laws come into existence by dint of the will of the sovereign and place all subjects of the state under an obligation to obey them, but no law binds the sovereign himself. Whatever he does is just and nobody can question his conduct or his orders and enforcement. It is thus inescapable that the sovereign should be accepted as being absolutely above all aberrations and errors, even though he may not actually be so.¹⁷³

In Islam (all political, legal and popular) sovereignty belongs to Allah alone, it is binding on every Muslim that he must acknowledge Him as the sovereign in his moral, social, cultural, economic and political spheres of life. Islam altogether repudiates the philosophy of the western democracy in which the sovereignty of the people is accepted, and the absolute powers of legislation rest in the hands of the people. Law making is their prerogative and legislation must correspond to the mood and temper of their opinion.

Allah is the real law-giver, and authority of absolute legislation rests in Him. No person, class or group, not even the entire population of the state as a whole can lay claim to sovereignty. As belief in the unity and sovereignty of Allah is the foundation of the social and moral system of Islam, it is also the very

starting point of the Islamic political philosophy. The believers can not resort to totally independent legislation nor can they modify any law which Allah has laid down. It is to be noted here that Allah has retained the right of legislation in His own hands not in order to deprive man of his natural freedom but to safe guard that very freedom. An Islamic state must, in all respects, be founded upon the law laid down by Allah through His Rasul. The government which runs such a state will be entitled to obedience in its capacity as a political agency set up to enforce the laws of Allah and the practices of His Rasul.

All administrative matters and all questions about which no explicit injunction is to be found in the *Shari'ah* are settled by the consensus of opinion among the Muslims by way of *ijtihad*.

According to Islam, sovereignty belongs to Allah alone and anyone who holds power and rule in accordance with the laws of Allah would undoubtedly be vicegerent of the supreme Ruler and will not be authorized to exercise any powers other than those delegated to him, the *khilafah* granted by Allah to the faithful is the popular vicegerency and not limited to any family, clan, class or race etc. the mission of the *Anbiya'* is to create conditions in which the mass of the people will be assured of social justice in accordance with the standards enunciated by Allah in His Book.

In an Islamic state, the government should be constituted and run in mutual consultation with people. 'Umar is said to have said that there is no *khilafah* without consultation. The head of the state shall function not in an autocratic but in a consultative (*shura*) manner. He will discharge his duties in consultation with persons holding responsible position in the government and with the elected representatives of the people.

The head of the state is called Imam, *Amir* or *Khalifah*, his election depends entirely on the will of the elites and nobody has the right to impose himself forcibly as the *amir*. The *amir* will carry on the administrative work with the help of a *majlis-i-shura* (consultative body).

Imam Ibn Taimiyyah said:

Wali (ruler) needs consultation, Allah ordered his Rasul ﷺ to consult his Companion.

فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ
حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ
فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ ﴿١٥٩﴾

It is part of the Mercy of Allah that you deal gently with them. If you had been severe or harsh-hearted, they would have broken away from about you: so pass over [their faults], and ask for [Allah's] forgiveness for them; and consult them in affairs [of moment]. Then, when you have taken a decision, put your trust in Allah. For Allah loves those who put their trust [in Him]. (al 'Imran 3:159)

عَنْ أَبِي هُرَيْرَةَ قَالَ مَا رَأَيْتُ أَحَدًا أَكْثَرَ مَشُورَةً لِصَاحِبِهِ مِنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

“Abi Hurairah said: no, one took more counsel with his Companions than the Rasul-Allah. [it is said that Allah has enjoined His Rasul to take counsel with his Companions]”¹⁷⁴

To win their hearts and to set an example for those who were to come after him, and to make his Companions express their views on matters which revelation did not touch, such as the affairs of war and other affairs concerning the particulars of worldly life. Otherwise, every one other than the Rasul-Allah ﷺ needs to take counsel with others.

Just as a servant is entrusted with certain property for which he is responsible to the master, the king or the ruler is entrusted with the care of the people and guarding their rights; for the proper discharge of his duties he is responsible in the first place to Allah who is the real master, and then to people in relation to whom he occupies the position of a servant.

Rights in Islamic State

Rights are those conditions of social life without which man cannot be at his best, or give of his best what is needful for the adequate development and expression of his personality. All doctrines of freedom, therefore, assume the existence of rights.

The fundamental rights granted by Islam fourteen hundred years ago, may be summed up as follows:

- (a) The right of life and security of person, the most fundamental of all rights. This includes also the right to defend one self against attack. It demands punishment of those who attempt to commit suicide.
- (b) The right to liberty and free movement. Mere life without movement would be meaningless and without the exercise of the human faculties it could not rise above the level of animals. It implies that no one may be wrongly arrested, detained or coerced in any manner, not justified by law. In *Muwatta* of Imam Malik, we find that ‘no man may be imprisoned, in Islam without justice.’

- (c) The right of property.
- (d) The right of contract. A contract is a transaction in which two or more persons, or bodies of persons, freely impose certain obligations upon each other to act in a certain way with regard to some definite object.
- (e) The right of free speech, press, reputation, discussion, and public meeting to express opinion and exchange views without restraint and to protest against the tyranny and injustice of others. It means that every individual is free to think and express his opinion in public without any interference.
- (f) The right of assembly and association.
- (g) The right of worship, religion and conscience.
- (h) The right to family life.
- (i) The right of equality. This means the absence of legal discrimination against any individual, group, class or races the equality of all persons before law.
- (j) The right to work in order to provide a man with facilities to perform his function and earn livelihood in order to maintain his life.
- (k) The right to education i.e. the state should make adequate provision for educating its citizens.

Political rights

There are some political rights also, which consists of:

- (a) The right to vote.
- (b) The right to be elected.
- (c) The right to hold public offices.
- (d) The right to petition for grievances.
- (e) The right of criticizing the government.¹⁷⁵

The Administration of justice

The administration of justice is a Divine ordinance and a practice of Rasul-Allah ﷺ which ought to be followed. In the administration of justice there shall be no distinction between the strangers and relatives, between the Muslim and non-Muslim and between the high and low. All stand equal in the eyes of Islamic law of justice. There is no such reservation as 'The king can do no wrong' or 'The king is above all party politics'. The ruler is as much subject to law as a commoner and must appear before the judge for trial.

Although, in the life time of Rasul-Allah ﷺ, judges were appointed by Rasul-Allah ﷺ himself taking into consideration their knowledge in *Shari'ah* law,

character and piety, yet they were quite independent in delivering their judgement. The very fact that a judge could accept a suit even against the very person of Rasul-Allah ﷺ and could try him in an open court is an index of the independence of the judiciary as an Islamic State.

As for the qualification of a judge, we understand that no person can be appointed a judge unless he is found to be well versed in Divine law (*Shari'ah*) i.e. he possesses sound knowledge of Quranic principles, Ahadith of the Rasul-Allah ﷺ and the precedents of his Companions. He should be an adult male in full possession of his mental faculties, a free citizen, Muslim by faith, irreproachable in character, and sound of sight and hearing, sober, calm, cool, free from any kind of outside pressure or temptation, and should be independent of official interference. He must not feel kindness in awarding the ordained sentences for the prescribed crimes. He must not accept any present or bribery from the parties to a case.

The judges are required to apply the Quranic law in the first instance, and secondly the Ahadith of Rasul-Allah ﷺ and in the absence of any injunctions in both these sources, they are required to exercise the right of their own judgement. These were the clear instructions given to Mu'adh Ibn Jabal when he was appointed the Qadi of Yemen by the Rasul-Allah ﷺ himself. Thus Rasul-Allah ﷺ had allowed his Companions *ijtihad* during his own life time.

Imam Ibn Taimiyyah's political theory

The Qur'an abounds in references to power and authority in different contexts, but gives no indication as to the definition of an ideal state¹⁷⁶.

The words of *khalifah*, *khala'if* and many other politically charged terms occur in the Book; however, they only refer to the possibility of political power being realized by the Muslims in the world, and do not prescribe any political principles and part of the fundamentals of religion for organizing a state. The Sunnah is equally silent on the issue. And this explains why the immediate successors of the Rasul-Allah ﷺ had to adopt different principles of political organization.¹⁷⁷

Islam started as a community of believers in Makkah. After a bitter and protracted struggle, it shifted to Madinah, where it succeeded in establishing a political state of its own. After the demise of the Rasul-Allah ﷺ this state came to be known as the *khilafa*. But before the revelation of the Qur'an the Arabs had no idea of nation, nationality or state. The idea was born out of this new religion, and it was very much different from existing ideas on the subject. The state of Madinah was not conditioned by geographical limits or race or colour or

nationality. It represented the general will of an organized community of believers which transcended the clan, the tribe and the nation. The *ummah* which established this state was potentially international, and the only cohesive force which bound together men of different traditions, customs, race and nationality was the message of Allah sent to mankind through His Rasul.

From the very beginning in Islam politics was so intimately interwoven with religion that the one could not be divorced from the other. The state and Islam were certainly not equivalents. Yet the state was regarded as the agent of religion. The *fuqaha* were, therefore, under obligation not only to keep the authority of the *Shari'ah* unimpaired but also develop the constitutional theory in line with political reality. Rasul-Allah ﷺ was the spiritual and temporal head of the community and so the political order that was established after him followed his Sunnah, and the *khalifah* became the supreme political leader of the community and executor of the *Shari'ah*. This was the real situation under the *khulfai' Rashidin*, the Umayyah and 'Abbasi rulers. But in the middle of the third century of the *hijrah* the conditions greatly changed. The *khalifah* became extremely weak and real power was wielded by the *Amir al 'Umra* who later on acquired the title of *Sultan*. In theory however, the *khalifah* remained the supreme authority in the state, because all the usurpers of real power were non-Quraishi, who could not appropriate the *khalifah* dignity, and if they did they would do violence to the religious susceptibilities of the Muslims and would not be recognized.

Since the demise of Muhammad Rasul-Allah ﷺ the concept of '*wilayah*' (state or government) has been the concern of the entire Muslim community. Imam Ibn Taimiyyah's statement on the subject, though not innovative, offers a fresh understanding of the concept as it begins by re-thinking and re-defining the role of the state in the community, as based on a thorough knowledge of the cumulative traditional view.

In his own right, Imam Ibn Taimiyyah was eminently qualified to offer this kind of new understanding because of his exhaustive familiarity with the arguments of the past, both traditional and radical. But the special historical circumstances of his time make his contribution all the more particularly significant.

In addition to the political chaos resulting from the Tatar invasions, beginning with Bhagdad and moving westward to Syria, the Muslim community itself had been divided into numerous independent states, each having its own political structure, and each continuing to exist under the threat of renewed attacks by the Crusaders and the Tatar. It is at this juncture that Imam Ibn Taimiyyah's

well-prepared intellectual activity in doctrine and jurisprudence was contributed to the Islamic community, giving leadership of thought and action both in his own generation and to those that followed. There was perhaps no greater need in the Muslim community than the need for a clear definition of the status and the role of the state, especially now when the Syro-Egyptian *sultans* were under the rule of the ‘Uthmani Mamluks, which did not quite fulfill the requirements of Islam known and expounded by its scholars.

Aware of this serious need, Imam Ibn Taimiyyah discharged his intellectual responsibility in a uniquely prudent methodology. His primary works which outlines the nature and function of the Islamic state at once reveal his integrity of character scholarship and to seek to correct the prevailing misconceptions about the state by accentuating positively and objectively the implications of the idea of government through stimulating the consciousness of the community to an awareness of the rights and duties of its constituents. Thus, his *al Siyasah al Shari‘ah fil Islah al Rai wal ra‘iyyah* is a treatise on the meaning and the role of the state (or political theory); his *al Hisbah fi al Islam* examines the extent of intervention by the state (or, public custodian, so to speak) in the economic affairs in the community; and *Minhaj al Sunnah* includes his interpretation of the conception, the qualification and the obligation of religio-political leadership (*khilafah*), and by the political circumstances of his age.

The general designation of the state (*wilayah*) comprises the entire range of general public authority, and was used by Imam Ibn Taimiyyah and others to include all levels of government within the Muslim community, from the grand *imamah* to territorial deputyship (*khilafah*) to the lower echelons of government which may now be called ‘*wazaif*’ or (clerical, non-managerial) jobs.

What is state?

According to Imam Ibn Taimiyyah, the state is a general cooperation between the different members of the community, hence any form of *wilayah* is a religious duty, a pious work by means of which a man seeks nearness to Allah, and if he acquits himself to the best of his capacity, it would be counted as one of the most righteous deeds. As regards the Imam, his responsibility is the highest in the community; hence he must look upon the *imarah* as a religious function and a means to seek nearness to Allah, when it is clear that the purpose of authority and property (*al sultan wa al mal*) is to seek nearness to Allah and to spend in His way, then, indeed, only therein consists the good of religion and of the world both.¹⁷⁸

For the best of cooperation the Imam has to seek the best of talent, so that the state-machinery may work efficiently and the purposes of the *imarah* may be

fully realized. In fact, Imam Ibn Taimiyyah devotes the first twenty five pages of the *Siyasah* to the study of this problem. The search for the best must be made even for the lowest office. And in making the selection, no consideration should be paid to personal relationship, friendship, sectarian conformity, nationality, tribe or any other gain, and no right should be trampled for personal animosity and jealousy. If the Imam or *wali* did not act in this spirit, he would be unfaithful (*kha'in*) to Allah, to the Rasul-Allah ﷺ and to the Muslims. Hence Imam Ibn Taimiyyah says: for every office two things are needed, technical aptitude and loyalty; and he defines these qualities in detail, and regrets that these are often lacking in the people. But despite this dearth of proper men the principle cannot be abandoned. He suggests that if these qualities are not found in one person, a number of persons may be appointed who complement one another.

State is a religious necessity

Imam Ibn Taimiyyah agrees with the majority of the *ummah* 'that the administration of the affairs of men is one of the greatest obligations of religion' rather the fact is that religion can not exist without it.¹⁷⁹

But he does not follow the usual method of arguing from *ijma*; According to Qamar al Din khan the author of the *Political thought of Ibn Taimiyyah*. Ibn Taimiyyah has two other arguments to put forward:

The nature of the religion (*Din*) demands that there must be an organized social order where it may function properly. This is apparently the argument of the *mu'tazillah*. But where as they take their authority from reason, Ibn Taimiyyah take his one from the nature of religion itself and combines it with the sociological argument, later on developed in great detail by Ibn Taimiyyah. He says, 'The good of mankind cannot be realized except in a social order' because everyone is dependent on others, and society requires, indispensably, some one to direct it.¹⁸⁰

This argument is developed in greater detail in another place where he observes:

The good of mankind cannot be realized in this world or in the Hereafter, except in society and by cooperation and mutual help. Cooperation and mutual help are required to cultivate the good and to ward off harm. And it is for this reason that it is said: man is social by nature. And when men are organized it is certain that they will be faced with things which they

will do to realize their good and with things which they will do because they breed evil. And they will submit to the commander who up-holds these aims and to the prohibitory who prohibits these evils. So the whole of mankind must submit to some commander or prohibitor.¹⁸¹

He goes on to say that all the people of the world, whether they have a revealed religion or an unrevealed one, and even if they have no religion at all, obey their kings in matters which bring good to them in this world. The people of the entire world are agreed that human action is always accompanied by its moral consequences in this life. No one questions that the ultimate result of tyranny is pernicious and the final consequence of justice is commendable. It is for this reason that it has been reported: Allah helps the just government even if it is infidel, and does not help the tyrannical government even if it is Muslim.¹⁸²

Imam Ibn Taimiyyah believed that when it is proved that the state is a necessity, the best thing is to accept the authority of Allah and His Rasul, for Allah orders good and forbids evil, and permits the use of clean things and prohibits the use of unclean ones. Acceptance of all this, he holds, is obligatory on all mankind, and these functions cannot be realized without power and authority.

Similarly, all the obligations of religion, like *jihad*, justice, arrangement for *hajj* and *'id* and Friday congregations, extending help to the oppressed and the enforcement of the penal provisions, of the Qur'an, cannot be fulfilled without power and authority, to establish this authority Allah has revealed the Book and created iron, and He says: 'We have sent our Rusul with the clear signs and revealed to them the Book and the balance so that (with their help) the people may establish justice; and we have sent down (created) iron, which embodies great power and profit for mankind.'¹⁸³

These requirements and this verse of the Qur'an, therefore, prove the imperative nature of the State. Hence Imam Ibn Taimiyyah depends neither on *ijma'* nor on the theory that the State is required as a defensive measure against harm and injustice. He takes the direct view, that it is needed to achieve the positive aims enumerated above. In fact, he is so much possessed with the idea of the necessity of authority that he gives admiring credence to the sayings (السلطان ظل الله على الارض) 'Indeed the sovereign is the shadow of Allah on earth' and

that sixty years of rule under a tyrant Imam are better than a night without an Imam.

(2) The other argument is based on the Sunnah. When the necessity of the state has been established by the Book and by sociological arguments, it is no longer difficult to see how Rasul-Allah ﷺ has ordered his *ummah* to appoint their administrator to govern their affairs and has ordered the administrators to return the trusts to whom they are due and to adjudicate with justice when they sit in judgement on them. Rasul-Allah ﷺ has said, ‘when three of them go out on a journey they should appoint one of them as their leader.’¹⁸⁴ Now if the smallest party of men was ordered to appoint an *amir* for itself it is obvious that bigger parties must do the same. Therefore, the institution of the *imarah* is obligatory, religiously and from the view point of seeking nearness to Allah.

And if a ruler accepts his job as a religious duty and fulfils the obligations to the best of his ability, this would be esteemed a most virtuous act.

In short, Imam Ibn Taimiyyah thinks that the establishment of the *imamah* is a doctrinal as well as a practical necessity, and conforms to the classical view of al As‘hri and others, but he arrives at his conclusions from afresh line of approach. He does not go into the details of dogmatic theology and juridical hair-splitting, but strongly feels that Rasul-Allah ﷺ had not come only to preach and give a few rules of conduct rather he came to create a social order on the basis of certain divinely inspired, permanent and universal principles. These principles are enshrined in the Book of Allah. The true religion must possess ‘the guiding Book and the helping sword’.¹⁸⁵ This very idea in a highly accentuated form, appears at another place where Imam Ibn Taimiyyah says: ‘Allah has made the benefits of religion and the benefits of this world depend on the rulers, irrespective of whether the *imamah* is one of the fundamental facts of religion or not.’¹⁸⁶

The need for public authority

In his famous book *Iqtida al Sirat al Mustaqim* Imam Ibn Taimiyyah discusses in great detail that the Muslims must maintain their distinct identity as a religious community, and take extreme care not to merge themselves into other religious groups by imitating or associating themselves with their ways, customs, festivals, beliefs, etc. For the ultimate aim of Islam is to encompass the whole of mankind and to build a common society based on a single faith and a single law. Therefore, if the Muslims are scattered in small groups in non-Muslim lands, they must endeavour to become numerically superior in these areas so as to be able to capture the reign of political power there; without such situation they would not be normally able to mould their destiny as their religion requires. In any case Imam

Ibn Taimiyyah does not conceive the situation where the Muslims would live as a free people and yet not be able to control the social order of their day. Islam is not a mere set of rituals whose performance entitles one to the pleasure of Allah or offers spiritual satisfaction to the performer. It embraces the whole of life, and the life of the individual is but a drop in the life of the community. Imam Ibn Taimiyyah conceives not only of a free but also a powerful community. The individual Muslim therefore, must not exist as a fossil reflecting certain ideas of the past; he should be dynamic and incessantly working, alone as well as in company, to capture the whole world for Islam.

Imam Ibn Taimiyyah asserts that public authority is indispensable in the social structure of human life. It is necessary according to both the *Shari'ah* and reason. In the concluding chapter of *al Siyasa al Shari'ah* he says, let it be known that (the designation of) public authority is one of the most serious requirements of religion. Indeed, religion may not stand without it being there to uphold it, for men can not realize their goal without consolidation, and consolidation is not possible without authority. He offers a strikingly clear theological justification.

The concept of authority is rooted in belief in the unity of Allah and in the unwavering purpose which is expressed in the commandment to propagate the good and to prevent evil. In order for this to be done, with all that it entails, i.e. justice in social relationships, setting political goals and legal boundaries, collecting the *zakah* and regulating the use of funds, etc. It is mandatory to assign such responsibilities to officials vested with sufficient power to fulfill them. Muhammad Rasul-Allah ﷺ had charted the pattern of even the minimal organization by instructing that one among three who may be traveling be designated in charge. The opinion of the *salaf* is also involved as Imam Ibn Taimiyyah cites the principles of Imam Ahmad Ibn Hanbal, as reported by al Muruzi, 'ruler is indispensable for Muslims. Shall the rights of men be forsworn? He argues that, 'men cannot realize their good either in the present or in the life to come except through organization (or consolidation) and mutual support', both are necessary for deriving benefits and driving away harm. For this reason, man is said to be instinctively social. When they are socialized they must have a commander (*amir*) for their common ends (*maqasid*).¹⁸⁷ finally the Quranic injunction from which it may be inferred that the state is of a Divine order:

The nature and objectives of authority, and the purpose of the state are outlined on the premise that authority (*wilayah*) is a charge or a responsibility for care in pastoral sense. This definition is derived from the Rasul-Allah's Hadith, 'All of you are (like) shepherds, and every shepherd is responsible i.e. accountable for his flock'.

كُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ

“Every one among you is shepherd and every shepherd will be accountable for his folk.”¹⁸⁸

The public official (*wali*), Imam Ibn Taimiyyah elaborates, is a shepherd of men in the manner that a man may be a herder of sheep:

Then, authority is a ‘trust’ (*amanah*): for rulers are trustees of the souls of believers after a fashion of partnership. He specifies this general meaning further in the context of the extent of the authority of treasury officials, for example, he says, treasurers have not the power to apportion the funds as an owner may divide his property; rather they are custodians and representatives, and stewards, and not owners.¹⁸⁹

And thirdly, a ‘contract’ is applied to the state as well as to its officials, thus authority is a contracted labour, for the undertaking of handling certain public affairs, the two parties being the hired public official and the constituency. Imam Ibn Taimiyyah substantiates this definition by citing an incident of Abu Muslim al Khulani who once said to Mu‘wiyah after appropriately greeting him, ‘you are a hired hand, employed by the Rabb of these sheep. If you paint the scabby among them with tar and treat their sick, and secure their first to their last within the fold, your master will pay you in full, but if you do not, he will punish you’.

The purpose of the state, according to Imam Ibn Taimiyyah is couched in terms of its subordination to the sovereignty of Allah. Its chief objective is, therefore, ‘to ensure that ultimate judgement belongs to Allah, and that the word of Allah has final authority. The state is therefore, part of the Divine scheme of justice, and is ordained for affecting it on earth. Allah said, and Imam Ibn Taimiyyah quotes: (al Hadid 57:25) Allah’s just will is thus fully disclosed through the Rasul-Allah ﷺ who brought the Book and the scales of justice, that it may be established. The mighty instrument of punishment has also been given, so men may be warned and conform to His word. Therefore, he who turns away from the Book, says Imam Ibn Taimiyyah, shall be straightened out by vigorous force. The goal of the state with all its subdivisions, therefore is ‘the prescription of good and the prohibition of evil’ whether in the affairs of the greater authority of the war department that of the deputy-*Sultan*, or in the lesser authority of the department of police, the department of administration, the department of finance.

Political teachings in Ahadith

Constitution of Madinah

Muhammad Rasul-Allah ﷺ organized the relationships between the various inhabitants of Madinah, and recorded this in a document some of which is reported in the Ahadith books and some of which is reported in historical sources. The aim of this document was to explain the commitments of each group within Madinah, and to define their rights and duties. In the old sources this document is called *al kitab* (the book) and *al sahifah* (sheet of paper or booklet or document). Modern research calls it *al dastur* (the constitution) or *al wathiqah* (the document) the Qur'an did not mention any thing about this historical document thus the sources for this document are Ahadith and *sirah* books only. Some texts of the document have been reported by Imam Bukhari and Imam Muslim these texts are among authentic Ahadith. Some of these texts were reported in the *musanad* of Imam Ahmad, and in the *sunan* of Abu Dawud, Ibn Majah and al Tirmidhi. These texts came through a different source, independent of the chain of transmitters through which the complete document came. As we mentioned above the most important books of *sirah* and historical sources were: a) al Baladhuri, *Ansab*, 1/286, 301.b) al Tabari, *Tarikh al Rusul*, 2/479.c) al Maqdisi, *Kitab al Bad'wa al Tarikh*, 4/179.d) Ibn Hazm, *Jawami'* and *Sirah*, 95.e) al Maqrizi, *Imta' al Asma* 1/49.f) Ibn Kathir, *al Bidayah*, 4/103-104.

The text of the Document

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Clause

1. This is a document from Muhammad, Rasul-Allah (governing the relations) between the believers and Muslims of Quraish and Yathrib, and those who followed them and joined them and struggled with them.
2. They are one community to the exclusion of all men.
3. The Quraish *muhajirun*, according to their present custom, shall pay the blood money within their number and shall redeem their prisoners with the kindness and justice common among believers.
4. The Banu 'Awf, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.

5. Banu al Harith (Ibn al Khazraj) according to their present custom shall pay the blood money they paid hitherto and every section shall redeem its prisoners with kindness and justice.
6. Bani Sa'idah, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.
7. Banu Jushan, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.
8. Banu al Najjar, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.
9. Banu 'Amir Ibn 'Awf, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.
10. Banu al Nabit, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.
11. Banu al Aws, according to their present custom, shall pay the blood money they paid hitherto, and every section shall redeem its prisoners with the kindness and justice common among believers.
12. a) Believers shall not leave anyone destitute among them by not paying redemption money or blood money in kindness.
b) A believer shall not take as an ally against him the freeman of another Muslim.
13. The Allah fearing believers shall be against the rebellious or anyone who seek to spread injustice, or sin, or enmity, or corruption between believers, the hand of every man shall be against him even if he be a son of one of them.
14. A believer shall not slay a believer for the sake of an unbeliever, nor shall he aid an unbeliever against a believer.
15. Allah's protection is all-embracing; the least of them may give protection to a stranger on their behalf. Believers are friends and protectors one to the other, to the exclusion of outsiders.
16. To the Jews who follow us deserve help and equality. He shall not be wronged nor shall his enemies be aided.

17. The peace of the believers is indivisible. No peace shall be made when believers are fighting in the way of Allah. Conditions must be fair and equitable to all.
18. In every foray a rider must take another behind him.
19. The believers must avenge the blood of one another shed in the way of Allah.
20. a) The Allah-fearing believers enjoy the best and most upright guidance.
b) No polytheist shall take the property or person of Quraish under his protection nor shall he intervene against a believer.
21. Whosoever is convicted of killing a believer without good reason shall be subject to retaliation unless the next of kin is satisfied (with blood money), and the believers shall be against him as one man and they are bound to take action against him.
22. It shall not be lawful to a believer who holds by what is in this document and believers in Allah and the last days, to help an evil-doer or to shelter him. The curse of Allah and His anger on the day of resurrection will be upon him if he does, and neither repentance nor ransom will be received from him.
23. Whenever you differ about a matter, it must be referred to Allah and to Muhammad Rasul-Allah.
24. The Jews shall contribute to the cost of war so long as they are fighting alongside the believers.
25. The Jews of the Bnu 'Awf are one community with the believers (the Jews have their religion and the Muslims have theirs), their freedmen and their persons except those who behave unjustly and sinfully, for they hurt by themselves and their families.
26. The Jews of Banu al Najjar are like the Jews of Banu 'Awf.
27. The Jews of Banu Harith are like the Jews of Banu 'Awf.
28. The Jews of Banu Sa'idah are like the Jews of Banu 'Awf.
29. The Jews of Banu Jushan are like the Jews of Banu 'Awf.
30. The Jews of Banu al Aws are like the Jews of Banu 'Awf.
31. The Jews of Banu al Tha'labah are like the Jews of Banu 'Awf, except for whoever behaves unjustly and sinfully, for they hurt but themselves and their families.
32. Jafinah, a clan of the Tha'labah is as themselves.
33. The Jews of Banu al Shutaqbah are like the Jews of Banu 'Awf
righteousness is a protection against sinfulness.
34. The freedmen of Tha'labah are as themselves.

35. The close friends of the Jews are as themselves.
36. a) None of them shall go out to war save with the permission of Muhammad Rasul Allah.
b) But he shall not be prevented from taking revenge for a wound, he who slays a man without warning slays himself and his household, unless it is one who has wronged him for Allah will accept him.
37. a) The Jews must bear their expenses and the Muslims their expenses. Each must help the other against anyone who attacks the people of this document. They must seek mutual advice and consultation, and righteousness is a protection against sinfulness.
b) A man is not liable for his ally's misdeeds. The wronged must be helped.
38. The Jews must pay with the believers so long as war lasts.
39. Yathrab shall be a sanctuary for the people of this document.
40. A stranger under protection shall be as his host doing no harm and committing no crime.
41. A woman shall only be given protection with the consent of her family.
42. If any dispute or controversy likely to cause trouble should arise, it must be referred to Allah and to Muhammad Rasul Allah, Allah accepts what is nearest to piety and goodness in this document.
43. Quraish and their helpers shall not be given protection.
44. The contracting parties are bound to help one another against any attack on Yathrab.
45. a) If they are called to make peace and maintain it, they must do so; and if they make a similar demand on the believers, it must be carried out except in the case of one engaged in combat for the sake of the religion.
b) Everyone shall have his portion from the faction to which he belongs.
46. The Jews of al Aws, their freedman and thus themselves have the same standing with the people of this document and the same loyalty from the people of this document. Righteousness is the protection against sinfulness. Each person bears responsibility for his actions. Allah approves of this document.
47. This deed will not protect the unjust and the sinner. The man who goes forth to fight is safe and the man who stays at home in the city is safe, unless either has been unjust and sinned. Allah is the protector of the righteous and Allah is all Knowing, and Muhammad is Rasul of Allah.¹⁹⁰

Application of Ahadith to political aspect of Islam

Imam Ibn Taimiyyah said: It should be known that the exercise of authority for the benefit of the people is one of the greatest religious duties. Neither religion nor world orders may be established without it. Mankind cannot insure the realization of their common interest except by meeting together, because every one of them is in need of every other one. When they meet together, it is inevitable for them to have a head (a chief), Rasul-Allah ﷺ has said:

٢٢٤١ مَرْثَا غُلَيْبُ بْنُ بَحْرٍ بْنِ بَرْزَى حَدَّثَنَا حَاكِمُ بْنُ إِسْمَاعِيلَ حَدَّثَنَا مُحَمَّدُ بْنُ عَجَلَانَ عَنْ نَافِعٍ عَنْ أَبِي سَلَمَةَ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ إِذَا خَرَجَ ثَلَاثَةٌ فِي سَفَرٍ فَلْيُؤَمِّرُوا أَحَدَهُمْ ۖ

“Abi Sa’id Khudri reported that, Rasul-Allah said:
When three men go for a journey they should appoint one of them as chief.”¹⁹¹

When in a small transient meeting on a journey there should be one chief, implying thereby that in all other kinds of meeting and because, furthermore, Allah has ordered that men should enjoin good and prohibit evil. This can only be accomplished by force and authority. Also all that Allah has enjoined, like undertaking *jihad* administering justice, performing *hajj* or Friday *salah* or ‘*id salah* as well as relieving the oppressed and execution of penalties, can only be accomplished by force and authority. It is in reference to this that, it is related:

Ibn ‘Umar reported that Rasul-Allah said:

عن ابن عمر قال: إن النبي ﷺ قال: إن السلطان ظل الله في الأرض

“The ruler is Allah’s shadow on earth.”¹⁹²

It is also said that: ‘Sixty years of a despotic ruler are better than one single night [passed] without a ruler’. Experience has proved this:

عن غالب بن القطان عن رجل عن أبيه عن جده قال: قال رسول الله ﷺ

إن العرافة حق ولا بد للناس من عرفاء ولكن العرفاء في النار.

“Ghalib Ibn Qatan reported from his father he from his grand father who said that Rasul-Allah ﷺ said: The chief of a people is necessary, for the people must have chiefs but the chiefs will be in Hell.”¹⁹³

*Imam Ibn Taimiyyah did not narrate this as a Hadith in his MF.

* Hadith means here those chiefs who oppress the weak and did not care to follow the tenets of Islam.

Quranic verses about rulers

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا ﴿٥٨﴾ يٰٓأَيُّهَا الَّذِينَ ءَامَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولَى الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

Allah does command you to render back your Trusts to those to whom they are due; and when you judge between man and man, that you judge with justice: verily how excellent is the teaching which He gives you! For Allah is He Who hear and see all things. O you who believe! Obey Allah, and obey al Rasul, and those charged with authority among you. If you differ in anything among yourselves, refer it to Allah and His al-Rasul, if you do believe in Allah and the Last Day: that is best, and most suitable for final determination.

(al Nisa 4:59-58)

‘Atta said first verse is about rulers, they are bound to handover trusts to their owners and whenever there is a dispute among the people they should settle their disputes justly and fairly. Second verse is about military forces and subjects of the state. Subjects are duty bound to obey their rulers, except their orders are against Allah and His Rasul.

عَنْ عَلِيٍّ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ لَا طَاعَةَ فِي مَعْصِيَةِ اللَّهِ إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ ﴿٥٩﴾
 “Aliyy reported that Rasul-Allah ﷺ said: There is no obedience in transgression. Verily obedience is in good deeds.”¹⁹⁴

٤٤١٧ حدثنا يحيى بن يحيى أخبرنا الطَّبْرِيُّ عَنْ عَبْدِ الرَّحْمَنِ الْجَزَائِي عَنْ أَبِي الرَّثَادِ عَنْ الْأَعْرَجِ عَنْ أَبِي هُرَيْرَةَ عَنْ النَّبِيِّ ﷺ عَلَيْهِ وَسَلَّمَ قَالَ مَنْ أَطَاعَنِي فَقَدْ أَطَاعَ اللَّهَ وَمَنْ يُعْصِي فَقَدْ عَصَى اللَّهَ وَمَنْ يُطِيعِ الْأَمِيرَ فَقَدْ أَطَاعَنِي وَمَنْ يُعْصِي الْأَمِيرَ فَقَدْ عَصَانِي وَمَنْ يُعْصِي رُءُسِي فَقَدْ عَصَى رُءُسِي خَدُّنَا ابْنُ عُيَيْنَةَ عَنْ أَبِي الرَّثَادِ بِهَذَا الْإِسْنَادِ وَلَمْ يَذْكُرْ وَمَنْ يُعْصِي الْأَمِيرَ فَقَدْ عَصَانِي ﴿٥٩﴾

“[Abi Hurairah reported that al-Nabiyy ﷺ said: whoso obeys me, obeys Allah; and whoso disobeys me, disobeys Allah; and whoso obeys a ruler, obeys me, whoso disobeys ruler disobeys me.”¹⁹⁵

Imam Ibn Taimiyyah said:

Whenever dispute or conflict caught you, you should settle your dispute according to the Qur'an and the Hadith, if the rulers did not settle disputes according to *Shari'ah* even then you should obey your rulers in the matter which

are not contradictory to the Qur'an and the Hadith because to obey them is obedience to Allah and His Rasul and being their subjects it is our religious duty to obey them.

٦٦١١ حدثنا يحيى بن سعيد عن عبيد الله بن خالد عن نافع عن عبد الله بن عمر رضي الله عنهما عن النبي صلى الله عليه وسلم قال السمع والطاعة على الفرض المأمور به فيما أحب وكره ما لم يؤمر بمعصية فإذا أمر بمعصية فلا سمع ولا طاعة ❦

“Abd Allah reported that, al-Nabiyy ﷺ said: There is a hearing and obeying on a Muslim in what is pleasing and displeasing to him so long as he is not ordered with a sinful act, when he is ordered with a sinful act, there is no hearing and obeying.”¹⁹⁶

It is obligatory for us to support and cooperate with rulers in the matters of righteousness (*al-bir*) and piety (*al-taqwa*), but we should never obey and support them in the matter of sin (*al-ithm*) and transgression (*al-'udwan*) two above mentioned verses (al Nisa 4:58:59) in which rulers were ordered to handover people what are their due trusts and subjects were made bound to obey their rulers, are beautiful combination of just politics and pious rulership.¹⁹⁷

According to Imam Ibn Taimiyyah primary objective of government (*wilah*) is to reform creation of Allah, so that they can follow tenets of Islam willingly. If they did not follow teachings of religion and destroy their religion definitely they shall be losers and their wealth and other worldly properties will not benefit them, there are two types of worldly affairs without which people cannot keep up their religion, (1) To distribute money and other necessities of life among the needful 2) To punish all transgressions. One who did not commit transgressors and remains temperate not only reforms his world saves his religion too. To keep this principle alive 'Umar used to send written orders to the subjects of various provinces. I have sent my governors to you so that they can teach you the Book of the Allah and the Sunnah of your Rasul and to distribute among you revenue and booty. If the relation between the ruler and ruled is not good whole system of the government becomes debauched.¹⁹⁸

Imam Ibn Taimiyyah said rulers should consult scholars and elites regularly because consultation is primary component of governorship. Allah said to His Rasul consult your Companions (al 'Imran 3:159) in another verse Allah praise believers on their consultative behaviour (al Shura 42:38).

If there is no consensus among the elites in any matter then every person should present his opinion and reveal logic of his opinion before the consultative body after knowing logic of every opinion head of the consultative body should accept the opinion which resembles more to the Qur'an and the Hadith. Allah said:

فَبِمَا رَحْمَةٍ مِّنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانفَضُّوا مِنْ
حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ
فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ ﴿١٥٩﴾

It is part of the Mercy of Allah that you do deal gently with them. If you had been severe or harsh-hearted, they would have broken away from about you: so pass over [their faults], and ask for [Allah's] forgiveness for them; and consult them in affairs [of moment]. Then, when you had taken a decision, put your trust in Allah. For Allah loves those who put their trust [in Him]. (al 'Imran 3:159)

وَالَّذِينَ اسْتَجَابُوا لِرَبِّهِمْ وَأَقَامُوا الصَّلَاةَ وَأَمْرُهُمْ شُورَى بَيْنَهُمْ
وَمِمَّا رَزَقْنَاهُمْ يُنْفِقُونَ ﴿٣٨﴾

“Those who answer the call of their Rabb, and establish regular *salah*; who [conduct] their affairs by mutual consultation; who spend out of what We bestow on them for Sustenance;” (al Shura 42:38)

The (*ulul amar*) elites are of two classes: The princes (of political authority) and the learned men. These are those who if they aimed at reform, every one would be reformed. It is the duty of each one of the members of these two classes to seek, in all that he says and does, obedience to Allah and His Rasul and conformity with the Book of Allah (enjoins). And when it is possible to know what the Book and the Sunnah indicate, then that should be followed if it is not possible because of lack of time, or incapacity to judge or because of indecisive arguments on both sides, he may follow (in every particular case) in the steps of those whose knowledge and piety he respects. This is the weightiest of opinions. It is said too, that (the ruler) ought not to intimate the proceedings of jurists in every single case. (Others maintain that he ought to). All three opinions are held by jurists of the school of Ahmad Ibn Hanbal and other schools as well.¹⁹⁹

Ibn Taimiyyah's views about Governorship

It has been proved that governorship is a trust for which governor is accountable before Allah:

عَنْ أَبِي ذَرٍّ قَالَ قُلْتُ يَا رَسُولَ اللَّهِ أَلَا تَسْتَعْلِي قَالَ فَضَرَبَ بِيَدِهِ عَلَى مَنْكِبِي ثُمَّ قَالَ يَا أَبَا ذَرٍّ إِنَّكَ
ضَعِيفٌ وَإِنَّهَا أَمَانَةٌ وَإِنَّهَا بِؤْمُ الْيَمَامَةِ حُرٌّ وَتَدَامَةُ إِلَّا مَنْ أَخَذَهَا بِحَقِّهَا وَأَدَّى الَّذِي عَلَيْهِ فِيهَا ❁

Abi Dhar narrated I said to the Rasul-Allah, will not you appoint me to public office? He stroked my shoulder

with his hand and said; Abi Dhar you are weak and authority is a trust, and on the day of judgement it is cause of humiliation and repentance except for one who fulfills its obligations and [properly] discharges the duties entrusted on him.²⁰⁰

عَنْ أَبِي هُرَيْرَةَ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ إِذَا ضَيَّعَتِ الْأَمَانَةُ فَانْتَظِرِ السَّاعَةَ قَالَ كَيْفَ إِضَاعَتُهَا قَالَ إِذَا وَشَدَّ الْأَمْرُ إِلَى غَيْرِ أَهْلِهِ فَانْتَظِرِ السَّاعَةَ

[Abi Hurairah reported: Rasul-Allah ﷺ said: when the trust is lost, then wait for the last hour [Dooms day]. The [Bedouin] said: How would one lost it? (Rasul-Allah) said: when the power or authority comes in to the hands of unqualified persons, then wait for the last hour.²⁰¹

Appointment of pious persons

It is obligatory for governors to appoint only such person in public offices who are honest pious and skillful.

قَالَ النَّبِيُّ ﷺ مَنْ وَلِيَ مِنْ أَمْرِ الْمُسْلِمِينَ شَيْئاً، فَوَلَّى رَجُلًا قٍ وَهُوَ يَجِدُ مِنْهُ هُوَ أَصْلَحُ لِلْمُسْلِمِينَ مِنْهُ، فَقَدْ خَانَ اللَّهَ وَرَسُولَهُ.

al-Nabiyy said ﷺ: If one, who is in charge of public affairs, appoints any person in any public office even knowing it that pious person than him [who has been appointed] is available breaches the trust of Allah and His Rasul.²⁰³

In another narration he said:

وَفِي رَوَايَةٍ مِنْ وَلِيَ رَجُلًا عَلَى عَصَابِهِ، وَهُوَ يَجِدُ فِي تِلْكَ الْعَصَابَةِ مَنْ هُوَ أَرْضَى اللَّهَ مِنْهُ فَقَدْ خَانَ اللَّهَ وَرَسُولَهُ وَخَانَ الْمُؤْمِنِينَ.

One who appoints anybody as head of the group while knowing it that, there is a better person in this group than him (who has been appointed as head of the group) breaches the trust of Allah, His Rasul and believers.²⁰³

Appointment of less prominent than prominent

Imam Ibn Taimiyyah said: Rasul-Allah ﷺ prohibited Abi Dhar from taking any responsibility because he was weak (to run public office) although he was a pious and trustworthy. During the battle of *Dhat al Slasal* Rasul-Allah ﷺ appointed 'Amr Ibn 'As as head of the group even there were more prominent persons in the group than 'Amr Ibn 'As, on another occasion Rasul-Allah ﷺ appointed young Usamah as the head although there were prominent and experienced persons in the group than him it was done, so that Usama can take

revenge of his father from enemy. On various occasions Rasul-Allah ﷺ appointed less prominent persons as head of the groups.²⁰⁴

One who seeks post will not be appointed for that

Imam Ibn Taimiyyah said whosoever wants to be appointed on any post shall not be appointed.

٢٦١١ حدثنا أبو الغلاء حدثنا أبو أسامة عن يزيد عن أبي بريدة عن أبي موسى رضي الله عنه قال دخلت على النبي صلى الله عليه وسلم أنا وزجلاني من قومي فقال أخذ الرجليني أمرنا يا رسول الله وقال الآخر: مثله فقال إنا لا نؤلى هذا من سألته ولا من حرم عليه ❊

Abi Musa narrated: Two men from my tribe and I entered upon al-Nabiyy one of the two men said: O Allah's Rasul ﷺ! Appoint me as a governor, and so did the second. (Rasul-Allah ﷺ) said: we do not assign the authority of ruling to those who ask for it, not to those who are keen to have it.²⁰⁵

٢٦١٤ حدثنا أبو معمر حدثنا عبد الوارث حدثنا يونس عن الحسن بن علي بن فضال عن أبي بريدة عن أبي موسى رضي الله عنه قال دخلت على النبي صلى الله عليه وسلم أنا وزجلاني من قومي فقال أخذ الرجليني أمرنا يا رسول الله وقال الآخر: مثله فقال إنا لا نؤلى هذا من سألته ولا من حرم عليه ❊

‘Abd Rahman Ibn Samurah narrated: Rasul-Allah ﷺ said: O! ‘Abd al Rahman! Do not seek to be a ruler, for if you are given authority on your demand then you will be held responsible for it, but if you are given it without asking [for it], then you will be helped [by Allah] in it. If you ever take an oath to do something and later on you find that something else is better, then you should expiate your oath and do what is better.²⁰⁶

٢٨٨٥ حدثنا محمد بن بشار حدثنا فلان حدثنا هلال عن عبد الرحمن بن أبي عمرة عن أبي هريرة رضي الله عنه أن رسول الله صلى الله عليه وسلم قال ما أعطيتكم ولا أمتنعكم إنما أنا قاسم أضع حيث أمرت ❊

“Abi Hurairah narrated: Rasul-Allah ﷺ said: Neither do I give you [anything] nor withhold [anything] from you, but I am just a distributor and I give as I am ordered.”²⁰⁷

By narrating this Hadith Imam Ibn Taimiyyah derives very important principle from this Hadith that is, rulers should not consider public treasury as their personal property, and they should consider themselves trustees and should spent public money lawfully.

Muslims will remain united under one man

٣٤٤٣ ومحدثي غفصان بن أبي شبيبَةَ حَدَّثَنَا يُونُسُ بْنُ أَبِي بَعُظُوفٍ عَنْ أَبِيهِ عَنْ عَزْفَجَةَ قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ مَنْ أَتَاكُمْ وَأَمْرُكُمْ جَمِيعٌ عَلَى رَجُلٍ وَاحِدٍ يُرِيدُ أَنْ يَشُقَّ عَصَاكُمْ أَوْ يُفَرِّقَ جَمَاعَتَكُمْ فَاقْتُلُوهُ ﴿﴾

“Arfajah narrated: I heard Rasul-Allah ﷺ say: Whoso comes to you, while your affair has been united under one man, intending to divide your staff or dissolve your unity, kill him.”²⁰⁸

٣٤٤٤ ومحدثي وَهْبُ بْنُ بَقِيَّةٍ الْوَابِئِيُّ حَدَّثَنَا خَالِدُ بْنُ عَبْدِ اللَّهِ عَنْ الْجَزَيْرِيِّ عَنْ أَبِي نَضْرَةَ عَنْ أَبِي شُعَيْبٍ الْخُدْرِيِّ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا بَوَّعَ لِخَلِيفَتَيْنِ فَاقْتُلُوا الْأَخَرَ مِنْهُمَا ﴿﴾

“Abi Sa‘id reported that, Rasul-Allah ﷺ said: when oath of allegiance has been taken for two *khulfah*’, kill the second of the two.”²⁰⁹

٣٤٥٠ حدثنا عَلِيُّ بْنُ الْمُنْذِرِ الْكُوفِيُّ حَدَّثَنَا مُحَمَّدُ بْنُ فَضِيلٍ عَنْ فَضِيلِ بْنِ مَرْزُوقٍ عَنْ عَطِيَّةَ عَنْ أَبِي شُعَيْبٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّ أَحَبَّ النَّاسِ إِلَيَّ اللَّهُ يَوْمَ الْقِيَامَةِ وَأَذْنَاهُمْ مِنْهُ مَجْلِسًا إِمَامًا عَادِلًا وَأَبْغَضُ النَّاسِ إِلَيَّ اللَّهُ وَأَبْغَضُهُمْ مِنْهُ مَجْلِسًا إِمَامًا جَائِرًا ﴿﴾

‘Abi Sa‘id Khudri reported that, Rasul-Allah ﷺ said: The best of the servants of Allah in rank in the sight of Allah on the Resurrection Day will be a ruler just and kind: and the worst of men in rank in the sight of Allah on the Resurrection Day will be a ruler, tyrannical and hard-hearted.²¹⁰

عن يونس بن اسحاق عن ابيه قال: قال رسول الله ﷺ: كما تكونون كذلك يومر عليكم.

“Yunus Ibn Ishaq reported from his father that, Rasul-Allah ﷺ said: As you are so you will have rulers over you.”²¹¹

٣٤٥١ حدثنا شَيْبَانُ بْنُ فَرُّوخَ حَدَّثَنَا جَرِيرُ بْنُ حَارِمٍ حَدَّثَنَا الْحَسَنُ أَنَّ عَائِذَ بْنَ عَمْرِو وَكَانَ مِنْ أَصْحَابِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَخَلَ عَلَى عُبَيْدِ اللَّهِ بْنِ زَيْدٍ فَقَالَ أَيُّ بَنِي إِسْرَءِيلَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ إِنَّ شَرَّ الرِّعَاءِ الْخَطْمَةُ ﴿﴾

“Ayadh Ibn ‘Amr reported: I heard the Rasul-Allah ﷺ say: The worst thing in administration is rebellion.”²¹²

٦٥٧٠ حدثنا غُفَّانُ بْنُ الْهَيْثَمِ حَدَّثَنَا عَوْفٌ عَنْ الْحَسَنِ عَنْ أَبِي بَكْرَةَ قَالَ لَقَدْ نَفَعَنِ اللَّهُ بِكَلِمَةٍ أَتَانَا الْجَنْدَلِ لَنَا بَلَغَ الثَّيْنِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّ فَارِسًا مَلَكُوا ابْنَةَ كِنَزَى قَالَ لَنْ يُلْجِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ ﴿﴾

“Abi Bakrah reported: when al-Nabiyy ﷺ was told that the Persians had enthroned a daughter of the Kisra as queen over them, he said: Never shall a people prosper who appoints a woman as their ruler.”²¹³

CHAPTER 4 D

LEGAL ASPECT OF ISLAM AND APPLICATION OF SUNNAH

The proper conception of law requires complete perception of the totality of human life, on the earth for all times to come, and the type of human life Hereafter. The life in both the worlds is interconnected. The Hereafter is only the other phase of the life being led in this world. It is possible for Allah Almighty alone to know with precision what rules of conduct are most expedient for the majority of humanity in this world. Only he can tell whether the two phases of human life have been casually interrelated or not. If so, what rules of conduct in this world cause good or bad effects in the Hereafter. He therefore, blessed the human beings with the Divine guidance through revelation and gives them the body of rules of conduct, most suitable for all in this world. The conformity to those rules causes good effect (the Heaven) in the Hereafter, while the non-conformity leads to bad results (the Hell).

The Islamic law, therefore, is defined as the body of rules of conduct revealed by Allah to His Rasul whereby the people are directed to lead their life in this world.

The salient features of the Islamic law

There are fundamentally two primary sources, the Qur'an and the Sunnah from which whole system of jurisprudence has been derived. Besides these two primary sources *ijma'* and *qiyas* are two secondary sources, on the basis of these four sources Islamic law as compiled by Muslim jurists like Imam Abu Hanifah, Imam Malik, Imam Shafi'i, Imam Ahmad emerges etc.

Islam is a religion that takes care of the individual as a whole. It makes use of both moral and legal sanctions, because it realizes that both morality and law are necessary for the smooth working of political and social life. Law without morality can not make righteous, and morality without law cannot prevent evil-doing.

The sphere of law in Islam is very wide. There is no field of life which is not ruled by law. There can be no life without law and there has to be some authority to enforce law. Islam is a religion which demands respect for law because it stands for orderly, disciplined and regular habits of life and dislikes

indiscipline, lawlessness, and care-free methods of work. The Islamic law is supreme and binding even over political authority. The ruler or leader does not create the law. The Divine law is the real sovereign and the highest authority in an Islamic state and even the ruler is subject to this law.

Islam has a definite and clear-cut system of law as far as the Islamic conception of law is concerned, the entire *Shari'ah* stands as synonymous with law because the entire code of life has been decreed by Allah. Anyhow, we can apply (narrowly) the term 'Islamic law' to those portions only which demand the sanction of state power for their enforcement. The main object of the *Shari'ah* is to construct human life on the basis of *marufat* (virtues) and to cleanse it of *munkarat* (vices). It lays down the entire scheme of life in such a manner that virtues may flourish and vices may not venom human life. The *Shari'ah* is a complete scheme of life and an all-embracing social order, nothing superfluous, nothing lacking.

As we mentioned above the primary and main sources of Islamic law are two i.e. the Qur'an and the Sunnah. They are called 'absolutely sure proofs' while other two sources *ijma'* and *qiyas* which are secondary are called 'arguments obtained by exertion'. Thus the original source from which all principles, law and ordinances of Islam are drawn is the Book called al Qur'an, the Sunnah or Hadith is the second among the main sources from which the laws of Islam are drawn. Sunnah, in conjunction with the Qur'an, formulates and completes the supreme law of the real sovereign. However, Islam does not totally exclude human legislation. But this, according to Islam, is and should be subject to the supremacy of Divine law and within the limits prescribed by it. This type of legislation and the first means of affecting movement and evolution in Islamic law is *ijtihad*.

The word *ijtihad* literally means to put in the maximum of effort in performing a job, but technically it signifies 'maximum effort' to ascertain, in a given problem or issue, the injunction of Islam and its real intent. The basic idea of *ijtihad* is that man should try to bring under the governance of the *Shari'ah* even those matter regarding which the Qur'an and Sunnah have not laid down any clear-cut injunctions. Thus as regards *ijtihad* or original legislation, it requires the jurist to have not only a deep knowledge of Islamic law but also a developed sense of interpreting matters in the true Islamic spirit.

The purpose of *ijtihad* is not to replace 'Divine law' by man-made law. Its real object is to properly understand that supreme law and to impart dynamism to the legal system of Islam by keeping it in conformity with the fundamentals of the *Shari'ah* and abreast of the changing conditions of the world. That is why we can say that Islamic law has been so constituted as to combine successfully two

contradictory characteristics. From one angle, Islamic law is rigid and immovable and no changes in the social environment of man can alter it (al Qur'an al Hadith). From another angle, Islamic law is sufficiently flexible and broad to remain capable in all circumstances of fashioning human life according to its eternal norms.

Legislative aspect of the Sunnah

The whole superstructure of Sunnah is based on the verses of the Qur'an revealed gradually during a period of 23 years. Thus both the Qur'an and the Sunnah constitute one complete whole. Both are fundamentally interdependent. This is like one organic body constituted by different parts. Together they make a living organism but divided they mean death. In the words of the Qur'an the relationship of the Qur'an and the Sunnah is that of a book and a light.

يَتَأْهَلُ الْكِتَابِ قَدْ جَاءَكُمْ رَسُولُنَا يُبَيِّنُ لَكُمْ كَثِيرًا مِمَّا كُنْتُمْ تُخْفُونَ

مِنَ الْكِتَابِ وَيَعْفُوا عَنْ كَثِيرٍ قَدْ جَاءَكُمْ مِنَ اللَّهِ نُورٌ وَكِتَابٌ مُبِينٌ ﴿١٥﴾

O People of the Book! There has come to you Our Rasul, revealing to you much that you used to hide in the Book, and passing over much [that is now unnecessary]: There has come to you from Allah a [new] light and a perspicuous Book. (al Ma'idah 5:15)

The book cannot be read in the darkness. Similarly, light cannot be beneficial unless it is utilized for some purpose. The light of the Sunnah is useful and essential for reading the Book of Allah the Qur'an.

When we say that there are two basic sources of Islamic law, it is for the sake of description and explanation. As a matter of fact there is only one source, that is (*wahy*), revelation as applied and exercised in the society set up by the Rasul-Allah ﷺ and his Companions. Islam is the organic whole with the Qur'an and the Sunnah as its constituents. Islam is the tree with the Qur'an and the Sunnah as its roots and the Islamic law as its fruit. The jurists by saying that the Qur'an and the Sunnah are the basic sources, only tends to describe the details of the Islamic legal system. For the purpose of laying down the law, both are interdependent and work together. The Qur'an says:

قُلْ أَطِيعُوا اللَّهَ وَالرَّسُولَ فَإِنْ تَوَلَّوْا فَإِنَّ اللَّهَ لَا

يُحِبُّ الْكَافِرِينَ ﴿٣٢﴾

“Say: Obey Allah and al Rasul: but if they turn back, Allah loves not those who reject Faith.” (al ‘Imran 3:32)

وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ

عَذَابٌ مُهِينٌ ﴿١٤﴾

“But those who disobey Allah and His Rasul and transgress His limits will be admitted to a Fire, to abide therein: and they shall have a humiliating punishment.”

(al Nisa 4:14)

Ahmad Ibn Hanbal said:

Allah guided His Rasul and sent him with the religion so that he may make it dominant over all other religions. That book was revealed to him which is guidance for those who want to practice it. Allah has given the right to His Rasul to tell the people the manifest and the latent meanings of the Qur'an, its general and its specific, its repealing and repealed injunctions etc.²¹⁴

The following instances will illustrate how these two sources of Islam interplay and function for the purpose of legislation. It will be seen that this function observes strict harmony and follows systematic rules. These rules were discovered by the jurists and are generally called the rules of interpretation and secondary sources of Islamic law. The discovery/deduction of these rules made it convenient and expedient to derive and codify the laws from the system of Islam.

i) The meaning of the Qur'an is general, the Sunnah makes it specific and particular, the Qur'an says:

وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ
فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوْصِيْنَ بِهَا
أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَنَّ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ
لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوْصَوْنَ بِهَا أَوْ دَيْنٍ
وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلِيلَةً أَوْ أَمْرًا وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ
وَاحِدٍ مِّنْهُمَا الشُّدْنُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ
مِنْ بَعْدِ وَصِيَّةٍ يُوْصَى بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ
وَاللَّهُ عَلِيمٌ خَلِيمٌ ﴿١٥﴾

In what your wives leave, your share is a half, if they leave no child; but if they leave a child, ye get a fourth; after payment of legacies and debts. In what you leave, their share is a fourth, if you leave no child; but if you leave a child, they get an eighth; after payment of legacies and debts. If the man or woman whose inheritance is in question, has left neither ascendants nor

descendants, but has left a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third; after payment of legacies and debts; so that no loss is caused [to anyone]. Thus is it ordained by Allah; and Allah is All-Knowing, Most Forbearing. (al Nisa 4:12)

تِلْكَ حُدُودُ اللَّهِ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ
جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا ذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٣﴾

“Those are limits set by Allah; those who obey Allah and His Rasul will be admitted to Gardens with rivers flowing beneath, to abide therein [forever] and that will be the Supreme achievement.” (al Nisa 4:13)

Thus Allah made it plain that father and wives are among those He named in various circumstance, the terms are general; but the Sunnah of the Rasul-Allah ﷺ indicated that it is intended to mean only some fathers and wives, excluding others, provided that the religion of father, children and wives is the same (Islam), and that each heir is neither a killer nor a slave.

Rasul-Allah ﷺ specified that the bequests must not exceed one-third of the deceased's estate, and the heirs receive the two-thirds; and he also made it clear that debts take precedence over bequests and Inheritance and that neither the bequests nor the inheritance should be distributed until the creditors are first paid. These instances illustrated the principle of general and specific.

(ii) The Sunnah may add and supplement the legal provisions of the Qur'an. A marriage is unlawful if a man marries his wife's sister because the Qur'an prohibited the taking of two sisters as wives, or if a man takes fifth woman, because the Qur'an permitted four at a time and the Rasul-Allah ﷺ made it clear that Allah prohibited the taking of any additional one. Marrying one's wife's aunt, paternal or maternal, has been prohibited by the Rasul-Allah ﷺ. Marrying a woman during her 'idah has been also prohibited by the Rasul-Allah.

(iii) The Quranic injunction is sometimes implicit and the Sunnah makes it explicit by providing essential ingredients and its details.

All women are prohibited to men except in one of the two ways *nikah* and by virtue of possession. These are the two ways made lawful by the Qur'an. But the Qur'an is silent about how to solemnize a valid marriage. Rasul-Allah ﷺ laid down in the Sunnah the modes in which the *nikah* (marriage) makes a previously forbidden woman lawful, such as the need for a guardian, the testimony of witnesses, the consent of the spouses and the dower.

(iv) The absolute declarations of the Qur'an are qualified by the Sunnah.

The Qur'an says that the hands of male thief as well as the female thief are to be amputated. Rasul-Allah ﷺ qualified this injunction with the condition like the convict should not be lunatic, should not be child, the punishment should not be inflicted in the cases of trifles, the punishment should be suspended during war and the stealing of food is not punishable:

(v) The Sunnah makes certain exceptions to the general rules made by the Qur'an.

The Qur'an made a general declaration that one may bequeath his property by will in the manner he likes. The Sunnah has created the exception in the rule that one cannot make a will in favour of one's legal heirs.

(vi) The gradation in the provisions of obligations and prohibitions (five values) is possible for a jurist only if he has in mind the complete whole of the Qur'an and the Sunnah, the context of every injunction and the situation in which the orders were made. Every order of the Qur'an is not obligatory (*wajib*) for instance, Allah has said, and marry from amongst the women, two or three or four but polygamy is not obligatory similarly every act and order of the of Rasul-Allah ﷺ is not obligatory. There is a gradation. The jurists have classified the prescription of *Shari'ah* obligations as obligatory (*wajib*), desirable (*mustahab*) and permissible (*mubah*) and graded the prohibition as prohibited (*haram*) and undesirable (*makruh*).

An insight in the Sunnah makes a person capable to discover this hierarchy. Rasul-Allah ﷺ lived a life. His personal practice or his reaction to the practice of his Companions gives an injunction its proper place in the hierarchy. The manner of the Rasul-Allah's ﷺ behaviour and the way of his expression is the only standard to place a certain provision on the scale of gradation. We cannot ourselves classify that these acts are in his personal capacity and others are in his capacity as a Rasul-Allah ﷺ. Only he has got the authority to explain that such and such act is obligatory such and such is simply an etiquette and other is his personal liking. There are no two capacities of his personality. He has only one capacity for us, and that is that of the Rasul-Allah ﷺ, Rasul-Allah ﷺ his Companions used to presume his every act and direction to be binding unless he himself told that the same was not binding and was only a suggestion. The famous Hadith of pollination (*tabir nakhal*) witnesses that when Rasul-Allah ﷺ objected to their act of pollination, they stopped it and refrained from doing so till he himself told them that it was not a binding direction and that they might continue doing so. Similarly at the occasion of the battle of Badr, Habab Ibn Manzar had a suggestion in mind about the fixation of the tent. But before giving his suggestion he enquired from Rasul-Allah ﷺ whether his decision about the fixation of the tent was under

revelation. The general presumption was that his every act is taken to be in the capacity of Rasul-Allah ﷺ unless he himself specified a certain act to be his personal liking, a matter of simple etiquette or a peculiarity with him. The acts done by him are all in the capacity of Rasul-Allah ﷺ and are graded according to the degree of emphasis put by him.

The sum and substance of the whole discussion of the primary sources is that the reservoir of Islamic law is the 'social system' established by the Qur'an and the Sunnah. The situations arose in the life and society of Rasul-Allah ﷺ and his Companions. Rasul-Allah ﷺ provided the solutions in the light of revelation, both direct and indirect i.e., the Qur'an and the Sunnah. These concrete precedents which were provided during the twenty-three lunar years in every walk of life, became numerous enough to give a complete 'social system' is the objective form of behaviour. This social system is the source of Islamic law; we mean that there are two primary sources of Islamic law. When we say that there are two primary sources of Islamic law, we mean that the social system from which we got the Islamic law is primarily constituted by the Qur'an and the Sunnah and for the sake of description we discuss the second source (Sunnah). The wisdom in giving the law in the form of comprehensive and self-sufficient social system is two-fold. Firstly to make it objective and perceivable so that the society might be formed and charged successfully secondly, unless the law is given through a social system, it could not be universal and eternal this aspect that how the Islamic law becomes practicable for all the times and places is discussed below.

The Sunnah that is the sayings acts and tacit enactments of Rasul-Allah ﷺ may be divided into two types: non legal and legal Sunnah.

Non legal Sunnah (*Sunnah ghair tashi'i*) mainly consists of the natural activities of Rasul-Allah (*al-af 'al al- jabliyah*) such as the manner he ate, walked, slept, clothed and such other activities as do not seek to constitute a part of the *Shari'ah*, Activities of this nature are not of primary importance to the *Nabawi* mission and therefore do not constitute legal norms. According to the majority of 'ulama Rasul-Allah's preferences in these areas, such as his favourite meals, colours, or the fact that he slept on his right side in the first place, etc. only indicate the permissibility (*ibahat*) of the acts in question only. The reason given is that such acts could be either *wajib*, *mandub* or merely *mubah*. The first two can only be established by means of positive evidence: *wajib* and *mandub* are normally held to be absent unless

they are proved to exist. Since there is no such evidence to establish that the natural activities of Rasul-Allah fall into either of these two categories, there remains the category of *mubah* and they fall in this category for which no positive evidence is necessary.²¹⁵

On a similar note, Sunnah which partakes in specialized or technical knowledge, such as medicine and agriculture is once again held to be peripheral to the main function of Rasul-Allah's ﷺ mission and is therefore not a part of the *Shari'ah*. As for acts and sayings of the Rasul-Allah ﷺ that related to particular circumstances such as the strategy of war, including such devices that misled the enemy forces, timing of attack, besiege or withdrawal, these too are considered to be situational only and not a part of the *Shari'ah* thus does not constitute general law, some similar examples are:

Polygamy above the limit of four, marriage without a dower, prohibition of remarriage for the widows of Rasul-Allah, *sawm al wisal* and the fact that Rasul-Allah admitted the testimony of Khuzaimah Ibn Thabit as legal proof. The rules of *Shari'ah* concerning these matters are stated in the Qur'an, which remain to be the legal norm for the generality of Muslims. According to the majority opinion, the position with regard to such matter is partly determined by reference to the relevant text of the Qur'an and the manner in which Rasul-Allah is addressed. When for example the Qur'an addresses Rasul-Allah in such terms as 'O you Rasul' or 'O you folded up in garments' (al Muzammil 73:1, al Muddathir 74:1), it is implied that the address is to Rasul-Allah above unless there is conclusive evidence to suggest otherwise.²¹⁶

Certain activities of Rasul-Allah ﷺ may fall in between the two categories of legal and non legal Sunnah as they combine the attributes of both. Thus it may be difficult to determine whether an act was strictly personal or was intended to set an example for others to follow. It is also known that at times Rasul-Allah ﷺ acted in a certain way which was in accord with the then prevailing custom of the community. For instance, Rasul-Allah ﷺ kept his beard at a certain length and trimmed his moustache. The majority of *'ulama* have viewed this not a mere observance of the familiar usage at the time but that it set an example for the believers to follow. Others have held the opposite view by saying that it was a part of the social practice of the Arabs which was designed to prevent resemblance to the Jews and some non-Arabs who used to shave their beard and grew the

moustache. Such practices were in other words, a part of the current usage and basically optional. Similarly, it is known that Rasul-Allah ﷺ used to go to the 'Id salah by one route and return from the different route, and that Rasul-Allah ﷺ at times performed the Hajj while riding a camel. The Shafi'i jurists are inclined to prefer the commendable (*mandub*) in such acts to mere permissibility whereas the Hanfi jurists consider them as merely permissible or *mubah*.

The legal Sunnah (*Sunnah tashri'i*) consists of the exemplary conduct of Rasul-Allah ﷺ be it an act, saying, or a tacit approval, which incorporate the rules and principles of *Shari'ah*. This variety of Sunnah may be divided into three types, namely the Sunnah which Rasul-Allah ﷺ laid down in his capacities as Rasul-Allah ﷺ, as the Head of State or Imam, or in his capacity as a judge. We shall discuss each of these separately as follows:

- (a) In his capacity as Rasul of Allah ﷺ, he has laid down rules which are, on the whole complementary to the Qur'an, but also rules on which the Qur'an is silent. In this capacity, the Sunnah may consist of a clarification of the general (*mujamal*) parts of the Qur'an or of specifying and qualifying the general and the absolute contents of the Qur'an. Whatever that Rasul-Allah ﷺ has authorized pertaining to the principles of religion especially is the area of devotional matter (*'ibadat*) and rules expounding the lawful and the unlawful, that is the (*halal*) and (*haram*) constitutes general legislation (*tashri'i 'ama*) whose validity is not restricted to the limitations of time and circumstances. All commands and prohibitions that are imposed by the Sunnah are binding on every Muslim regardless of individual circumstances, social status, or political office, in acting upon these laws, the individual normally does not need any prior authorization by a religious leader or the government.²¹⁷

The question arises as to how it is determined that Rasul-Allah ﷺ acted in one or the other of his three capacities as mentioned above. It is not always easy to answer this question in categorical terms. The uncertainty which has arisen is the main cause of juristic disagreement (*ikhtilaf*) among the *fuqaha* the 'ulama have attempted to ascertain the main thrust or the direction (*jahat*) of the particular acts and sayings of Rasul-Allah ﷺ. An enquiry of this nature helps to provide an indication as to the value of the Sunnah in question whether it constitutes an obligation, commendation, or (*ibahat*) on the one hand, or a prohibition versus abomination (*karahat*) on the other.

When the direction of an act is known from the evidence in the sources there remains no doubt as to its value. If, for example, Rasul-Allah attempts to explain an ambiguous ruling of the Qur'an, the explanation so provided would fall in the same category of values as the original ruling itself. According to the majority of 'ulama, if the ambiguous of the Qur'an is known to be obligatory, or commendable, the explanatory Sunnah would carry the same value. For example all the practical instructions of Rasul-Allah which explained and illustrated the obligatory *Salah* would constitute *wajib* and his acts pertaining to the supererogatory *salah* such as *Salah* on the occasion of lunar and solar eclipse would constitute a (*mandub*). Alternatively, the Sunnah may itself provide a clear indication as to whether a particular role which it prescribes is a (*mandub wa wajib*) obligatory or merely permissible. Another method of ascertaining the value of a particular act is to draw an analogy between an undefined act and an act or saying whose value is known. Furthermore the subject-matter of the Sunnah may provide a sign or an indication as to its value. With regard to *salah*, for example the call to *Salah* or (*adhan*) and the call which immediately precedes the standing to congregational *salah* (*iqamah*) is one indication as to the obligatory nature of the *salah*. For it is known from the rules of *Shari'ah* that (*adhan*) and (*iqamah*) precede the obligatory only. A *salah* which is not obligatory such as the (*Salah al-'id*) or (*Salah al-istasqa*), that is *salah* offered at the time of drought are not preceded by the preliminaries of (*adhan*) or (*iqamah*). Another method of evaluating an act is by looking at its opposite, that is its absence. If it is concluded that the act in question would have been in the nature of a prohibition had it not been authorized by Rasul-Allah, then it would imply that it is obligatory. For example, circumcision is evaluated to be an obligation. Since it consists essentially of the infliction of injury for no obvious cause, had it not been made into an obligation, and then it would presumably be unlawful. Its validation by the *Shari'ah* in other words is taken as an indication of it's (*wajub*). This explanation is basically applicable to all penalties that the *Shari'ah* has prescribed punishment is understood from the direct rulings of the relevant texts. And lastly an act may require belated performance (*qada*) of a (*wajib*) or a

(*mandub*) and as such its value would correspond to that of its prompt performance.²¹⁸

The foregoing are the categories of acts whose direction and value can be ascertained. However, if no such verification is possible, then one must look at the intention behind its enactment. If the *Nabawi* act is intended as a means of seeking the pleasure of Allah, then it is classified as (*mandub*) and according to a variant view, as (*wajib*). However, if the intention behind a particular act could not be detected either, then it is classified as (*wajib*) and according to variant view as (*mandub*) but the matter is subject to interpretation and (*ijtihad*).

All the rulings of Sunnah which originate from Rasul-Allah ﷺ in his capacity as Imam, or the Head of State such as allocations and expenditure of public funds, decisions pertaining to military strategy and war, appointment of state officials distribution of booty, signing of treaties, etc. partake in legal Sunnah which, however, does not constitute general legislation (*tashri'i 'ama*). Sunnah of this type may not be practiced by individuals without obtaining the permission of the competent government authorities first. The mere fact that Rasul-Allah ﷺ has acted in a certain way, or said something relating to these matter, does not bind the individuals directly, and does not entitle them to act on their own initiative without the express permission of the lawful authority. To give an example, according to a Hadith, 'whoever kills warrior in the battle may take his belongings.

مَنْ قَتَلَ فَيَسْلُ لَهُ عَلَيْهِ بَيِّنَةٌ فَلَهُ سَلْبُهُ

"One who kills person and brings evidence on it, deserves a property belongs to a person killed."²¹⁹

The *'ulama* have differed as to the precise import of this Hadith according to one view, Rasul-Allah uttered this Hadith in his capacity as Imam in which case no one is entitled to the belongings of his victim in the battle field without the express authorization of the Imam. Others have held the view that this Hadith lays down a general law which entitles the soldier to the belongings of the deceased even without the permission of the Imam.

It has been observed that Rasul-Allah might have uttered this Hadith in order to encourage the Companions to *jihad* in light of the then prevailing circumstances. The circumstances may have been such that an incentive of this kind was required; or may be it was tended to lay down a general law without any regard for particular situations according to Imam Shafi'i the Hadith under consideration lays down a general rule of *Shari'ah*. For this is the general norm with regard to the

Sunnah. The main purpose of Rasul-Allah's mission was to lay down the foundation of the *Shari'ah* and unless there is an indication to the contrary, one must assume that the purpose of the Hadith in general is to lay down general law.

Sunnah which originates from Rasul-Allah in his capacity as a judge in particular disputes usually consists of two parts: the part which relates to claims, evidence and factual proof and the judgement which is issued as a result. The first part is situational and does not constitute general law, whereas the second part lays down general law with the proviso, however, that it does not bind the individual directly and none may act upon it without the prior authorization of a competent judge. Since Rasul-Allah himself acted in a judicial capacity, the rules that has enacted must therefore be implemented by the office of the *qadi*. Hence when a person as a claimant knows of a similar dispute which Rasul-Allah has adjudicated in a certain way, this would not entitle the claimant to take the law into his own hands. He must follow proper procedures to prove his claim and to obtain a judicial decision.

To distinguish the legal from non legal Sunnah, it is necessary for the *mujtahid* to ascertain the original purpose and context in which a particular ruling of the Sunnah has been issued and whether it was designed to establish a general rule of law. The Hadith literature does not always provide clear information as to the different capacities in which Rasul-Allah might have acted in particular situations, although the *mujtahid* may find indication that would assist him to some extent. The absence of adequate information and criteria on which to determine the circumstantial and non legal Sunnah from that which constitutes general law dates back to the time of the Companions. The difficulty has persisted ever since and it is due mainly to the shortage of adequate information that disagreement has arisen among the *'ulama* over the understanding and interpretation of the Sunnah.²²⁰

To give another example, juristic disagreement has arisen concerning a Hadith on the reclamation of barren land which reads 'whoever reclaims barren land becomes its owner'.

مَنْ أَحْيَا أَرْضًا مَيْتَةً فَهِيَ لَهُ ❁

“One who fertilize barren land he will become owner of that land.”²²¹

The *‘ulama* have differed as to whether Rasul-Allah ﷺ uttered this Hadith in his *Nabawi* capacity or in his capacity as Head of the State if the former is established to be the case then the Hadith lays down a binding rule of law. Anyone who reclaims barren land becomes its owner and he need not obtain any permission from the Imam or anyone else. For the Hadith would provide the necessary authority and there would be no need for official permission. If on the other hand it is established that Rasul-Allah ﷺ uttered this Hadith in his capacity as Imam, then it would imply that anyone who wishes to reclaim barren land must obtain the prior permission of the Imam. The Hadith in other words only entitles the Imam to grant the citizens the right to reclaim barren land. The majority of jurists have adopted the first view whereas the Hanfi jurists have held the second: the majority of jurists, including Abu Yusuf, have held that the consent of the state is not necessary for anyone to commence reclaiming barren land. But it appears that latter jurists and scholars prefer the Hanfi view which stipulates that reclaiming barren land requires the consent of the prevention of disputes among people. The opinion of Maliki jurists on the other hand is that one requires government consent only when the land is close to a human settlement and the Hanbali jurists’ opinion is that one needs government consent only when it has previously been alienated by another person.

Disagreement has also arisen with regard to the Hadith that adjudicated the case of Hind, the wife of Abu Sofia this woman complained to Rasul-Allah ﷺ that her husband was a tight-fisted man and that despite his affluence; he refused to give adequate maintenance to her and her child. Rasul-Allah ﷺ instructed her to take (of her husband’s property) what is sufficient for herself and her child according to custom.

٢٢٢٣ عَنِ عَلِيٍّ بْنِ الْحَجَرِ السَّعْدِيِّ حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ عَنْ هِشَامِ بْنِ عُرْوَةَ عَنْ أَبِيهِ عَنْ عَائِشَةَ قَالَتْ دَخَلْتُ هُنْدًا بِنْتُ عُثْمَانَ امْرَأَةً أَبِي سَفْيَانَ عَلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ يَا رَسُولَ اللَّهِ إِنَّ أَبَا سَفْيَانَ رَجُلٌ شَجِيحٌ لَا يُعْطِي مِنِّي مِنْ تَقْفِيٍّ مَا يَكْفِي بَيْتِي إِلَّا مَا أَخَذْتُ مِنْ مَالِهِ بِغَيْرِ عِلْمِهِ فَبَلَغَ عَلِيٌّ فِي ذَلِكَ مِنْ جَنَاحٍ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خُذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيكِ وَيَكْفِي بَيْتَكَ ❁

‘Amish reported: Hind, the daughter of ‘Tuba, wife of Sofia, came to Rasul-Allah ﷺ and said: Abu Sofia is a miser man, he does not give adequate expenses for me and my children, but to take from his wealth without his knowledge. Is there any sin on me? Rasul-Allah ﷺ said: take from his property amicably which may suffice you and your children.²²²

The *‘ulama* have disagreed as to whether Rasul-Allah ﷺ uttered this Hadith so as to enact a general rule of

law, or whether Rasul-Allah acted in the capacity of a judge. If it is admitted that the Hadith consists of judgment addressing a particular case, then it would only authorize the judge to issue a corresponding order. Thus it would be unlawful for a creditor to take his entitlement from the property of his debtor without a judicial order. If it is established on the other hand that the Hadith lays down a general rule of law, then no adjudication would be required to entitle the wife or the creditor to the property of the defaulting debtor. For the Hadith it would provide the necessary authority. If any official permission is to be required then it would have to be in the nature of a declaration or clearance only.

The Hanoi, Shafi'i and Hanbali jurists have held that when a man who is able to support his wife willfully refuses to do so, it is for the wife to take action and for the *quid* to grant a judgment in her favor. If the husband still refuses to fulfill his duty, the *quid* may order the sale of his property from whose proceeds the wife could obtain her maintenance. The court may even imprison a persistently neglected husband. The wife is, however, not entitled to a divorce, the reason being that when Rasul-Allah instructed Hind to take her maintenance from her husband's property, she was not granted the right to ask for a divorce. The Malik jurists are basically in agreement with the majority view with the only difference that in the event of the husband's persistent refusal, the Malik jurists entitle the wife to ask for divorce. Notwithstanding some disagreement as to whether the court should determine the quantity of maintenance on the basis of the financial status of the husband, the wife or both, according to the majority view, the husband's standard of living should be the basis of the court-decision. Thus the *'ulama* have generally considered the Hadith under consideration to consist of a judicial decision of Rasul-Allah, and as much it only authorizes the judge to adjudicate the wife's complaint and to specify the quantity of maintenance and the method of its payment.²²³

Sunnah which consists of general legislation often has the quality of permanence and universal application to all Muslims. Sunnah of this type usually consists of commands and prohibitions which are related to the Qur'an in the sense of endorsing, elaborating or qualifying the general provisions of the Book.

Sunnah as an independent source of law

An adequate answer to the question as to whether the Sunnah is a mere supplement to the Qur'an or a source in its own right necessitates an elaboration of the relationship of the Sunnah to the Qur'an in the following three categories in brief, we have already discussed these categories in chapter No: 1 in detail, it is discussed from a legal point of view below:

Firstly, the Sunnah may consist of rules that merely confirm and reiterate the Qur'an in which case the rules and legal laws concerned originate Sunnah is an independent source of law is basically redundant with regard to matters on which the Sunnah merely confirms the Qur'an as it is obvious that in such cases the Sunnah is not an independent source. A substantial part of the Sunnah is, infect, of this variety: Ahadith which regulate homicide, theft, adultery and false testimony, etc. basically reaffirm the Quranic principles on these subjects.²²⁴

To be more specific, the Hadith that 'it is unlawful to take the property of a Muslim without his express consent'

لا يَحِلُّ مَالُ امْرِئٍ مِّنْ اِمْرِئٍ اِلَّا بِطَيِّبٍ عَنْ نَفْسِهِ .

"It is not lawful for any Muslim to take property of fellow Muslim without his permission."²²⁵

Merely confirms the Quranic *ayah* which orders the Muslims to 'devour not each other properties unlawfully unless it is through trade by your consent' (al Nissan 4:19). The origin of this rule is Quranic and since the foregoing Hadith merely reaffirms the Qur'an, there is no room for saying that it constitutes an independent legal authority in its own right.

Secondly, the Sunnah may consist of an explanation or clarification to the Qur'an, it may clarify the ambivalent (*miasmal*) of the Qur'an, qualify its absolute, or specify the general terms of the Qur'an in that it explains the Qur'an. It is, for example, through this type of Sunnah that Qur'an expressions like *salah*, *zakah*, *hajj* and *riba*, etc, have acquired their juridical (*share's*) meanings. To give another example, with regard to the contract of sale the Qur'an merely declares sale to be lawful as opposed to *riba*, which is forbidden. This general principle has later been elaborated by the Sunnah which expounded the detailed rules of *Shari'ah* concerning sale including its conditions, varieties, and sale which might amount to *riba*. The same could be

said of the lawful and unlawful varieties of food, a subject on which the Qur'an contains only general guidelines and the Sunnah provides the details.²²⁶

Again, on the subject of bequest, the Qur'an provides for the basic legality of bequest and the rule that it must be implemented prior to the distribution of the estate among the heirs (al Nissan 4:12) the Sunnah supplement to those by enacting additional rules which facilitate proper implementation of the general principles of the Qur'an.

The foregoing two varieties of Sunnah between them comprise the largest bulk of Sunnah and the 'ulama are in agreement that these two types of Sunnah are integral to the Qur'an and constitute a logical whole with it. The two cannot be separated or taken independently from one another. It is considered that Sunnah which qualifies or elaborates the general provisions of the Qur'an on devotional matters ('*bidet*) on the punishment of theft, on the duty of *zakah* and on the subject of bequest could only have originated in Divine inspiration (*why*), for those cannot be determined by means of rationality and *ijtihad* only.

Thirdly, the Sunnah may consist of ruling on which the Qur'an is silent in which case the ruling in question originates in the Sunnah itself. This variety of Sunnah, referred (*al-Sunnah al-mousisah*) or 'founding Sunnah', neither confirms nor opposes the Qur'an, and its contents cannot be traced back to the Book. It is only this variety of Sunnah which lies in the centre of the debate as to whether the Sunnah is an independent source of law. To give some examples, the prohibition regarding simultaneous marriage to the maternal and paternal aunt of one's wife (often referred to as unlawful conjunction) the right of pre-emption (*chufa's*) the grandmother's entitlement to a share in inheritance, the punishment of (*raja*) that is death by stoning for adultery when committed by a married man/woman all originates in the Sunnah as Qur'an itself is silent on these matters.²²⁷

There is some disagreement among jurists as to whether the Sunnah, or this last variety of it at any rate, constitutes an independent source of *Shari'ah* some 'ulama of the latter ages (*al-mutakhirun*) including al Shafi'i and al Showkani have held the view that the Sunnah is an independent source. They have further maintained that the Quranic *ayah* in *sura* al Nahal 16:44 is inconclusive and that despite its being clear on the point that Rasul-Allah ﷺ interprets the Qur'an, it does not overrule the recognition of Sunnah as an independent source. On the contrary, it is agreed that there is evidence in the Qur'an which substantiates the

independent status of Sunnah. The Qur'an for example, in more than one place, orders the believers to 'obey Allah and obey Rasul ﷺ'.

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَنْ تَوَلَّى

فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظًا ﴿٨٠﴾

“He who obeys al Rasul, obeys Allah; but if any turn away, we have not sent you to watch over their [evil deeds].”
(al Nisa 4:80)

وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأَحْذَرُوا فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّمَا عَلَى

رَسُولِنَا الْبَلَاغُ الْمُبِينُ ﴿٩٢﴾

“Obey Allah, and obey al Rasul, and beware [of evil]: if you do turn back, know you that it is Our Rasul's duty to proclaim [the Message] in the clearest manner.”

(al Ma'idah 5:92)

This fact that obedience to Rasul-Allah ﷺ is specifically enjoined next to obeying Allah warrants that conclusion that obedience to Rasul-Allah ﷺ means obeying him whenever he orders or prohibits something on which the Qur'an might be silent. For if the purpose of obedience to Rasul-Allah ﷺ were to obey him only when he explained the Qur'an, then 'obey Allah' would be sufficient and there would be no need to add the phrase 'obey al-Rasul'. Elsewhere the Qur'an clearly places submission and obedience to al-Rasul at the very heart of the faith and a test of one's acceptance of Islam. This is the purport of the *ayah* which reads: 'By your Rabb, they will not believe till they make you the judge regarding disagreements between them and find in themselves no resistance against the verdict, but accept it in full submission (al Nisa 4:65). Furthermore, the proponents of the independent status of the Sunnah have quoted the Hadith of Mu'adh Ibn Jabal in support of their argument. The Hadith is clear on the point that the Sunnah is authoritative in cases on which no guidance could be found in the Qur'an. The Sunnah in other words, stands on its own fact regardless as to whether it is substantiated by the Qur'an or not.

According to the majority of 'ulama, however, the Sunnah in all its parts, then when it enacts original legislation, is explanatory and integral to the Qur'an. Imam Shafi'i's views on this matter are representing majority position in his *al Risalah*, Imam Shafi'i stated:

I do not know anyone among the 'ulama who oppose that the Sunnah of Rasul-Allah is of three types: First is the Sunnah which prescribes the like of what

Allah has revealed in His Book; next is the Sunnah which explains the general principles of the Qur'an and clarifies the will of Allah; and last is the Sunnah where Rasul-Allah has ruled on matters on which nothing can be found in the Book of Allah. The first two varieties are integral to the Qur'an but the *'ulama* have differed as to the third.²²⁸

Imam Shafi'i continues to explain the views that the *'ulama* have advanced concerning the relationship of Sunnah to the Qur'an. One of these views, which receives strong support from al Shafi'i himself, is that Allah has explicitly rendered obedience to His Rasul into an obligatory duty. In his capacity as Rasul-Allah ﷺ, he has introduced laws some of which originate in the Qur'an and others do not. But all *Nabawi* legislation emanate in Divine authority. The Sunnah and the Qur'an are of the same provenance and all must be upheld and obeyed. Others have held the view, as Rasul-Allah ﷺ is the chosen Rasul of Allah; it is sufficient proof for the authority of Sunnah. For it is through the Sunnah that Rasul-Allah ﷺ fulfilled his Divine mission. According to yet another view there is no Sunnah whose origin cannot be traced back to the Qur'an. This view maintains that even the Sunnah which explains the number and contents of *salah* and the quantities of *zakah* as well as the lawful and forbidden varieties of food and trade merely elaborate the general principles of the Qur'an. More specifically, all the Ahadith which provide details as to the lawful and unlawful varieties of food merely elaborate the Quranic declaration that Allah permitted wholesome food and prohibited that which is unclear.²²⁹

The majority view which seeks to establish an almost total identity between the Sunnah and the Qur'an further refers to the sayings of Rasul-Allah's ﷺ widow 'A'isha, when she attempted to interpret the Quranic epithet (*وانك لعلى خلق عظيم*) 'A'ishah is quoted to have said that 'his (Muhammad's) *khulq* was the Qur'an (*khulq*) in this context means the conduct of Rasul-Allah ﷺ, his acts, sayings and all that he has approved. Thus it is concluded that the Sunnah is not separate from the Qur'an.

Furthermore, the majority view seeks to establish an identity between the general objectives of the Qur'an and Sunnah. The Sunnah and the Qur'an are unanimous in their pursuit of the three fold objectives of protecting the necessities (*daruriyat*), complementary requirements (*hajat*) and the embellishments (*tahsiniyat*). It is then argued that even when the Sunnah broaches new grounds; it is with the purpose of giving effect to one or the other of the objectives that have been validated in the Qur'an. Thus the identity between the Qur'an and the Sunnah

is transferred, from one of theme and subject, to that of the main purpose and spirit that is common to both.²³⁰

And finally, the majority explains that some of the rulings of the Sunnah consist of an analogy to the Qur'an. For example, the Qur'an decreed that no one should marry two sisters simultaneously. The Hadith which prohibits simultaneous marriage to the maternal and paternal aunt of one's wife is based on the same effective cause (*illah*) which is to avoid the severance of close ties of kinship (*qata 'al-raham*). In short the Sunnah as a whole is no more than a supplement to the Qur'an the Qur'an is indeed more than comprehensive and provides complete guidance on the broad outline of the entire body of the *Shari'ah*.

In conclusion it may be said that both sides are essentially in agreement on the authority of the Sunnah as a legal source and its principal role in relationship to the Qur'an and both acknowledge that the Sunnah contains legislation which is not found in the Qur'an. The difference between them seems to be of interpretation rather than substance. The Quranic *ayah* about the duty of obedience to Rasul-Allah ﷺ, and those which assign him the role of the interpreter of the Qur'an, are open to variant interpretations, these passages have been quoted in support of both the views that the Sunnah is supplementary to the Qur'an, and that it is an independent source. The point which is basic to both these views is the authority of Rasul-Allah ﷺ and the duty of adherence to his Sunnah.

In the mean time, both sides acknowledge the fact that the Sunnah contains legislation which is additional to the Qur'an. When this is recognized, the rest of the debate becomes largely redundant. For what else is there to be achieved by the argument that the Sunnah is an independent source! The two views have, infact, resolved their differences without perhaps declaring this to be the case. Since the Qur'an provides ample evidence to the effect that Rasul-Allah ﷺ explains the Qur'an and that he must be obeyed, there is no need to advance a theoretical conflict between the two facets of the basic unity. Both views can be admitted without the risk of running into a logical contradiction. The two views should therefore be seen not as contradictory but as a logical extension of one another.

Imam Ibn Taimiyyah's legal theory

Imam Ibn Taimiyyah's legal theory is based on the Qur'an and the Hadith. Long before the time of Ibn Taimiyyah in the seventh and eighth centuries after the *hijrah*, the body of Islamic law according to the four major schools of Imam Abu Hanifah, Imam Malik Imam Shafi'i and Imam Ahmad Ibn Hanbal and according to the other schools of the *Shari'ah*, Ithna 'Ashariyah, and Zahiri's etc, had been collected compiled and written down. Moreover, by his time, they had

been so interpreted and reinterpreted, and expanded by the numerous jurists and disciples of each of the various schools that there was hardly a contemporary legal issue that had not been tackled by one school or another. This itself may be that major reason why creative interpretation (*ijtihad*) had become so stagnant by Imam Ibn Taimiyyah's time that there was an instant readiness on the part of the *'ulama* to attack him for his interpretative efforts. Be that as it may, the fact remains that large systems of law had been in existence, and were available to anyone interested and equipped to study them.

It was in the study of law (*fiqh*) that Imam Ibn Taimiyyah first achieved his intellectual maturity and independence, for as has been seen, this was the profession of his father and grandfather before him. And it was to Islamic law that his intellectual consciousness was first awakened. Born into Hanbali family he naturally studied it first; at length, the responsibility of completing *Muswaddat al usul*, a work on the Hanbali School started by his grandfather and continued by his father, fell upon him. Yet he simultaneously studied other schools, and became well-versed in comparative Islamic law, as is evident in his frequent reference to the various opinions of the major jurists.²³¹

Besides the motivation of intellectual curiosity which impelled him to study the four schools of law, Imam Ibn Taimiyyah in so doing reflects a sense of religious obligation and an unquestionable appreciation for them. His monographic titled *Rafa' al a'lam 'an al aima ala 'lam* epitomizes his devotion to them for the unequalled leadership they had given to the Muslims of all generations after them. In his introduction, he wrote:

It is incumbent upon Muslims after showing obeisance to Allah and his Rasul, to show obeisance (*muwallah*) to the faithful... especially to the doctors (*'ulama*) who are heirs of *Anbiya'*, and whom Allah gave the status of the stars for guidance in the darkness of land and sea. Muslims are unanimous on their enlightenment and knowledge. For while the teachers of other nations before the advent of Muhammad Rasul-Allah were their most iniquitous, the Muslim *'ulama* are their righteous choice. They are the successors of Rasul-Allah, the resuscitators of what may have been forgotten from his Sunnah: and by them the Book is upheld.²³²

He puts forward the thesis that the four *a'imah* are unanimous and in sure accord regarding the obligation to follow Rasul-Allah ﷺ, and that none of them had intentionally offered a deviant opinion. However,

in the remainder of his book, Imam Ibn Taimiyyah offers three excuses for any divergence from an authentic Hadith of Rasul-Allah ﷺ. These excuses are lack of knowledge of the specific Hadith or possibly doubting that Rasul-Allah ﷺ had said it, his belief that it does not pertain to the issue in question; and his belief that it had been abrogated. Although such reasons, prove their fallibility but do not in any way reduce their inestimable worth for all Muslims. Rather, they are applauded for their initiative and their scholarly enterprise. For to err in *ijtihad*, in spite of one's sincerity and capability, is not unpardonable. If a qualified *mujtahid* (one who assumes the task of creative interpretation) achieves correct opinion, he deserves a double reward: a reward for assuming the task, and a reward for making the mark; if he errs, Imam Ibn Taimiyyah says, he still is entitled to a reward for his initiative and effort, if a *mujtahid* is to be condemned for error he ask rhetorically, who will dare then to do *ijtihad*? Imam Ibn Taimiyyah stipulates, however, that when differences arise they confined them to the applications (*faru'*) of texts, and not in the fundamental doctrines (*'aqaid*). Where the four scholars appeared to hold different doctrinal views, Imam Ibn Taimiyyah explained that such differences were of detail not of essence.

Among the collected legal opinions (*fatawa*) of Imam Ibn Taimiyyah, there are many which embark upon an extensive comparative study of the four schools, and the vast majority made repeated references to them. Such detailed references are apparent in opinions including, for example, the *fatwa* on warfare²³³ the *fatwa* on the effects of natural disasters.²³⁴ and the *fatwa* on contracts and stipulations.²³⁵

A segment of his legislation on contractual conditions, for example, shows a reasoned preference, in this particular instance, for interpretations of the school of Malik. He contends that, in comparison to the rulings of his own Hanbali School, the school of Malik is rightly closer to the traditional custom of Islam in the case of conditions relating to the marriage contract. Imam Malik rules that such conditions are not binding unless they (legally) authorized or unless they verify the legality of what they dictate. For this reason, Imam Malik concludes, Ibn Rushd stated, that absolute (or binding) conditions in the marriage contract should be specified and made known by the scholars in order that they may take effect; as is said that, he knew such judges who acted on the premise of the Rasul-Allah's ﷺ Hadith requiring the primacy of the conjugal relationship in the marriage contract. The insistence by certain courts on stipulating such a condition expressly in the marriage contract, Imam Malik suggests is out of order, because, according to the *madhab* and to custom (*'urf*) it is more desirable than obligatory. Therefore, it is not admissible in a marriage contract. Another such unnecessary condition is the stipulation by one party that the other does not marry another

spouse while carried to the one being contracted. The contract is valid, and the condition is unnecessary, and would not be binding, any way, although to meet it is desirable *mustahab*. Imam Ibn Taimiyyah concurs with the prohibition of the stipulation of conditions in a marriage contract.²³⁶

Imam Ibn Taimiyyah -A Hanbali jurisconsult

Although Imam Ibn Taimiyyah occasionally adopted the legal opinions of the other three jurists of Islam, and though he sometimes assumed independent legal positions, he considers the school of Ibn Hanbal nearer the ideals of Islamic law than the others. He declared his allegiance to it by asserting that:

Ahmad was more knowledgeable in the contents of the Book and the Sunnah than others as well as in the opinions of the Companions and their righteous successors for this reason, there can hardly be an opinion of his in contravention of a text (of Hadith) as is the case with the others. There is not one weak opinion in his school but that it is balanced by an opinion strongly supported. The majority of his unique rulings (*mafarid*), none of which is in contravention (of the texts), are more likely to be valid such as: his favoring the testimony of Muslims when necessary, the (declaration of a) will before a journey, the prohibition of the marriage of an adulteress until she repent etc.²³⁷

Imam Ibn Taimiyyah gained knowledge of Ibn Hanbal's *fiqh* through his thorough study of the works of Ibn Hanbal himself and of the works of his disciples, including his own grandfather's uncle Ibn 'Abd Allah, as well as his own father. On the basis of his extensive study, both of Ibn Hanbal and of the other *a'imah*, Ibn Taimiyyah thus states that when Ibn Hanbal took a solitary legal stance, he was more plausibly nearer an accurate reflection of the text on which he based his stance. He further suggests that if Ibn Hanbal and Imam Malik stood unsupported by the others in a decision, it is still to be considered more valid. The reason, as deduced by Abu Zahrah²³⁸, may be that Ahmad Ibn Hanbal's school contained such a diversity of opinions (he was an avid collector of the Ahadith) that if in one place the argument regarding a given issue is weak, there is certain to be another reference within the *madhhab* that would be stronger: If it became impossible for (Ahmad) says Abu Zahrah, to verify the transmission (of a Hadith) personally, he depended on the authoritative concurrences with Imam Malik: (Ibn Hanbal) never resorted to analogy except in extreme cases of need.²³⁹

Hadud

The penal laws of Islam are called *hadud* which is plural of *had* meaning restraint, or limit. Hence means a restrictive ordinance respecting lawful and unlawful things. In jurisprudence, *hadud* means all laws of crimes of which punishment has been prescribed in the Qur'an and Ahadith. The offences where of the punishments have not been prescribed by the Qur'an and the Ahadith are generally called *ta'zir* (minor punishment). The punishment of these minor crimes has been left entirely at the discretion of the rulers or *a'imah*, and consequently of the judges and magistrates of the state. The major crimes for which punishment have been ordered are the following: a) Murder b) Dacoity and Rebellion c) Adultery d) Theft e) Accusation of Adultery.

Ibn Taimiyah said, it is obligatory for the rulers to cut the right hand of thief, Allah said: If a man or woman commits theft their right hand shall be cut off, and if they repent after this punishment Allah will forgive them, He is a Forgiver and Merciful. When theft is proved either by evidence or by thief's own confession, those at the helm of affairs should not make any delay to cut his right hand, because implementation of *hadud* is also part of worship. *Hadud* Allah is mercy of Allah on mankind. Rulers should take firm stand in this regard they should not show any mercy or leniency for guilty person once his guilt is proved by established law. If ruler will suspend *hadud* without any legal or moral justification, it will not only cause chaos and disorder in the State, criminals will take advantage of this suspension resultant public life, property and honour will become insecure. Ruler should not penalize people to settle his personal rivalry nor should he punish anybody to cool his anger. Ruler should behave like a father who sometimes punishes his son to reform him and to teach him ethics and good manners, if father too will show mercy and leniency as mothers used to show for their children, definitely children will become arrogant and disobedient.²⁴⁰

Intercession is not recommended in the matter of legal punishment

Narrated 'A'isha: Quraish became very worried about the Makhzumiya lady who had committed theft. They said:(who can speak in favour of the lady) to Allah's Rasul, and nobody dares do that except Usamah who is the favourite of Allah's Rasul. When Usamah spoke to Allah's Rasul about that matter. Allah's Rasul said: (do you intercede (with me) to violate one of the legal punishments of Allah?) Then he got up and addressed the people, saying :(O!People) The nations before you went astray because if a noble person committed theft they used to leave him but if a weak

person among them committed theft, they used to inflict the legal punishment on him. By Allah, if Fatimah, the daughter of Muhammad committed theft Muhammad will cut off her had).²⁴¹

٢٢٩٠ حدثنا سعيد بن سليمان حدثنا الليث عن ابني يهاب عن غزوة عن عائشة رضي الله عنها أن قرئ بها آهتتهم المرأة المخزومية التي سرقت فقالوا من يكلم رسول الله صلى الله عليه وسلم ومن يجترئ عليه إلا أسامة بن زيد حبه رسول الله صلى الله عليه وسلم فكلم رسول الله صلى الله عليه وسلم فقال أنشفع في حد من حدود الله ثم قام فخطب قال يا أيها الناس إنما حل من قبلكم أنهم كانوا إذا سرق الشريف تركوه وإذا سرق الضعيف فيهم أقاموا عليه الحد وإني إنما أرى ذلك فاعطيت بنت محمد سرقت لقطع محمد بها *

Imam Ibn Taimiyyah said there is a great lesson in this Hadith for all jurists and judges. Banu Makhzum and Banu Manaf were two respected clans of Quraish, Fatimah bint al Aswad belonged to Banu Makhzum and was respected woman and who interceded on her behalf was beloved of Rasul-Allah ﷺ, but Rasul-Allah ﷺ not only rejected his intercession outrightly but he was angry over Usamah Ibn Zaid for his intercession in the matter of legal punishment then Rasul-Allah ﷺ said: by Allah, if Fatimah, daughter of Muhammad were to steal, I would have her hand cut off.²⁴²

‘A’isha further said :it was a good repentance on her behalf, and she later on married and used to come to me after that, I conveyed her needs (and problems) to Allah’s Rasul.²⁴³

There was a wonderful change in her, she not only receive the punishment willingly, but repented for what she had done and came out of this with ordeal with firm determination of purge her soul of all sorts of impurities and lead a life of piety. This process of the regeneration of the soul has been described in the next verse (al Ma’idah 5:39) pertaining to theft in the Qur’an.

٢٥٢٨ حدثنا هشام بن عمار حدثنا الوليد بن مسلم حدثنا سعيد بن يسار عن أبي الزاهرية عن أبي شجرة كبير بن مرة عن ابني عمر أن رسول الله صلى الله عليه وسلم قال إقامه حد من حدود الله خير من مطر أربعين ليلة في بلاد الله عز وجل *

“Ibn ‘Umar reported that the Rasul-Allah ﷺ said: to establish an ordained sentence out of the ordained sentences of Allah is better than rain for 40 nights in the cities of Allah.”²⁴⁴

١٣٤٤ حدثنا عبد الرحمن بن الأسود أبو عمرو التميمي حدثنا محمد بن زبيدة حدثنا يزيد بن زباب الدمشقي عن الزهري عن غزوة عن عائشة قالت قال رسول الله صلى الله عليه وسلم اذروا الخذوذ عن المسلمين ما استطعتم فإن كان له مخرج فخلوا سبيله فإن الإمام أن يخطئ في العفو خير من أن يخطئ في العقوبة *

‘A’isha reported that the Rasul-Allah ﷺ said: Drive off the ordained punishment from the Muslims as for as you can. If there is any place of refuge for him, it has his way, because the leader’s mistake in pardon is better than his mistake in punishment.²⁴⁵

٦٢٨٦ حدثنا مُحَمَّدُ بْنُ يُوسُفَ حَدَّثَنَا ابْنُ عُيَيْنَةَ عَنْ الزُّهْرِيِّ عَنْ أَبِي إِدْرِيسَ الْخَوْلَانِيِّ عَنْ عُبَادَةَ بْنِ الصَّامِتِ رَضِيَ اللَّهُ عَنْهُ قَالَ كُنَّا عِنْدَ النَّبِيِّ ﷺ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي مَجْلِسٍ فَقَالَ نَبِيعُوبُ بْنُ عَلِيٍّ أَنْ لَا تُشْرِكُوا بِاللَّهِ شَيْئًا وَلَا تَسْرِفُوا وَلَا تَزْنُوا وَفَرَأَ هَذِهِ الْآيَةُ كُلُّهَا فَمَنْ وَفَى مِنْكُمْ فَأَجَزَهُ عَلَى اللَّهِ وَمَنْ أَصَابَ مِنْ ذَلِكَ شَيْئًا فَعُوقِبَ بِهِ فَهُوَ كَفَّارَتُهُ وَمَنْ أَصَابَ مِنْ ذَلِكَ شَيْئًا فَسَقَرَهُ اللَّهُ عَلَيْهِ إِنْ شَاءَ اللَّهُ عَفَرَ لَهُ وَإِنْ شَاءَ عَذَّبَهُ ۖ

‘Ubadah Ibn Samit narrated: We were with al-Nabiyy ﷺ in a gathering and he said: ‘Take oath of fealty to me that you will not worship anything besides Allah, will not steal, and will not commit illegal intercourse’. And then (al-Nabiyy) recited the whole verse (i.e. al Mumtahanah 60:12). (al-Nabiyy added): And whoever among you fulfils his pledge, his reward is with Allah; and whoever commits something of such sins and receives the legal punishment for it that will be considered as the expiation for that sin; and whoever commits something of such sins and Allah screens him, it is up to Allah whether to forgive or perish him.²⁴⁶

عن خزيمة بن ثابت قال: قال رسول الله ﷺ من أصاب ذنبا أقيم عليه حد ذلك الذنب فهو كفاريه.

“Khuzaimah Ibn Thabit reported that Rasul-Allah said: whoever commits a crime, the ordained sentence of that crime shall be inflicted on him. That will be its expiation.”²⁴⁷

إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا أَوْ يُصَلَّبُوا أَوْ تُقَطَّعَ أَيْدِيهِمْ وَأَرْجُلُهُمْ مِنْ خِلْفٍ أَوْ يُنْفَوْا مِنَ الْأَرْضِ ذَلِكَ لَهُمْ جِزَاءٌ فِي الدُّنْيَا وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ ﴿٢٣﴾

The punishment of those who wage war against Allah and His Rasul, and strive with might and main for mischief through the land is: execution, or crucifixion, or the cutting off of hands and feet from opposite sides, or exile from the land: that is their disgrace in this world, and a heavy punishment is theirs in the Hereafter.

(al Ma'idah 5:33)

Imam Ibn Taimiyyah said: to fight and punish these (*muharibin*) is also *jihad* and important duty of the ruler because they are making highways insecure for the people, they use arms to loot and kill people, mostly they are ‘Arab villagers, Turks and Kurds and other criminal groups. Imam Ibn Taimiyyah narrated Hadith from Imam Shafi‘i.²⁴⁸

وقد روى الشافعي في مسنده عن ابن عباس في قطاع الطريق: إذا اختلوا واختلوا المال، قتلوا وصلبوا إذا قتلوا ولم يأخذوا المال قتلوا ولم يصلبوا، وإذا أخذوا المال ولم يقتلوا، قطعت أيديهم وأرجلهم من خلاف، وإذا أخافوا السبيل ولم يأخذوا مالا، تنوا من الأرض.

Narrated Ibn ‘Abbas about highwaymen: if they kill and loot property they shall be killed and crucified and if they kill only did not take property they shall be killed and crucified and if they take property but did not kill then cutting of hands and feet from opposite sides in their punishment and if they make highways insecure but did not loot property they shall be exiled from the land.²⁴⁹

Punishment for theft

وَالسَّارِقُ وَالسَّارِقَةُ فَاقْطَعُوا أَيْدِيَهُمَا جَزَاءً بِمَا كَسَبَا نَكَالًا مِّنَ اللَّهِ
وَاللَّهُ عَزِيزٌ حَكِيمٌ ﴿٣٨﴾ فَمَن تَابَ مِن بَعْدِ ظُلْمِهِ وَأَصْلَحَ فَإِنَّ اللَّهَ
يَتُوبُ عَلَيْهِ إِنَّ اللَّهَ عَفُورٌ رَّحِيمٌ ﴿٣٩﴾

As to the thief, male or female, cut off his or her hands: a punishment by way of example, from Allah, for their crime: and Allah is Exalted in Power. Full of Wisdom. But if the thief repents after his crime, and amends his conduct, Allah turn to him in forgiveness; for Allah is Oft-Forgiving, Most Merciful.

(al Ma'idah 5:38-39)

The Qur'an is silent, about the minimum limit of theft for which hand of a thief shall be cut off, Imam Ibn Taimiyyah narrated following Hadith to determine the limit of theft for which punishment is imposed.

٦٢٩٢ حدثنا إسماعيل بن أبي أُوَيْسٍ عَنْ ابْنِ وَهْبٍ عَنْ يُونُسَ عَنْ ابْنِ يَهْيَابٍ عَنْ عُزْوَةَ بْنِ الزُّبَيْرِ وَعَمْرَةَ عَنْ غَاثَةَ
عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَقَطَعَ يَدَ السَّارِقِ فِي زَنْعِ دِينَارٍ ﴿٢٠﴾

“A’isha reported from al-Nabiyy ﷺ who said: the hand of a thief shall not be cut off except for one fourth of a *dinar* or more.”²⁵⁰

٦٢٠٠ حدثني إبراهيم بن المُنْذِرِ حَدَّثَنَا أَبُو حَازِمَةَ حَدَّثَنَا مُوسَى بْنُ عُقْبَةَ عَنْ نَافِعٍ أَنَّ عَبْدَ اللَّهِ بْنَ عَمْرِو بْنِ عَبْدِ اللَّهِ
قَالَ قَطَعَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَدَ سَارِقٍ فِي مِخْرَاقَةٍ ثَمَنُهُ ثَلَاثَةُ دَرَاهِمٍ تَابَعَهُ مُحَمَّدُ بْنُ إِسْحَاقَ وَقَالَ اللَّيْثُ حَدَّثَنِي
نَافِعٌ قَبْلَهُ ﴿٢١﴾

“Ibn ‘Umar reported that al-Nabbiy ﷺ cut off the hand of a thief for a shield price of which was three *dirhams*.”²⁵¹

The hand of thief shall be cut off from the wrist joint*:

وَقَطَعَ عَلَى مَنْ الْكَفِ.

“And ‘Aliyy cut off the hand from the wrist.”²⁵²

Imam Ibn Taimiyyah said hand of a thief shall be cut off for one fourth of a *dinar* or more. Imam Ibn Taimiyyah further said thief’s hand shall not be cut off for the theft of what cannot be guarded, or is not worth guarding, being found in the land in great quantity, such as dry wood, hay, grass, reeds, game, fish, lime, etc also such foods which are quickly perishable, as milk, meat, fresh fruit, etc Imam Ibn Taimiyyah narrated some more Ahadith to prove his point.

٢٨١١ حدثنا قتيبة بن سعيد حدثنا الليث عن ابن عجلان عن عمرو بن شعيب عن أبيه عن جده عبد الله بن عمرو ابن العاص عن رسول الله صلى الله عليه وسلم أنه قيل عن الثمر المعلق فقال من أصاب يديه من ذي حاجة غير مضيع حيلة فلا شيء عليه ومن خرج يمشي منه فعلقه غرامة مثلثيه والغفوة ومن سرق منه شيئاً بعد أن يؤويه الجارين قبل أن يبعن فعلقه القطيع ومن سرق دون ذلك فعلقه غرامة مثلثيه والغفوة *

‘Amr Ibn al ‘As narrated that, Rasul Allah ﷺ was asked about fruit which was hung up he said: if a needy person takes some with his mouth and does not take or steal away in his garment, there is nothing on him, but he who carries any of it is to be fined twice the value and punished, and he who steals any of it from the place where dates are dried to have his hand cut off if their value reaches the value of a shield. If he steals a thing less in value than it, he is to be fined twice the value and punished.²⁵³

٢٨٨٨ وبهذا الإسناد قال رسول الله صلى الله عليه وسلم ليس على الخائن قطع حدثنا نصر بن علي الحنظلي عيسى ابن يونس عن ابن جريج عن أبي الزبير عن جابر عن النبي صلى الله عليه وسلم يمشي راد ولا على المخلف قطع *

“He [Jabir] said: al-Nabiyy ﷺ said: cutting of the hand is not to be inflicted on one who is treacherous. His version adds: cutting of the hand is not to be inflicted on one who snatches something.”²⁵⁴

According to Imam Ibn Taimiyyah hand of a pick pocket shall be cut off if he steals one-fourth of a *dinar* or more from the pockets of others.²⁵⁵

According to majority of jurists there is no cutting of hand in case of theft in the houses of relatives within prohibited degrees, nor for theft committed in a journey, expedition on holy war, nor for theft committed by a servant or slave nor for criminal misappropriation, nor for theft committed by a marauder or dacoit, all those who committed these crimes will be punished by *ta'zir* laws.

*when the thief’s hand is cut off, it should be cauterized and it is recommended that the cut off hand be tied to his neck for some time.

Punishment for adultery

الرَّادِيَةُ وَالرَّائِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِّنْهُمَا مِائَةَ جَلْدَةٍ وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَلْيَشْهَدْ عَذَابُهُمَا طَائِفَةٌ مِّنَ الْمُؤْمِنِينَ ﴿٢٤﴾

The woman and the man guilty of adultery or fornication flog each of them with a hundred stripes: let not compassion move you in their case, in a matter prescribed by Allah, if you believe in Allah and the Last Day: and let a party of the Believers witness their punishment. (al Nur 24:2)

The Qur'an tells us about the punishment for adultery of unmarried man and woman only (al Nur 24:2) and is silent, if married man and woman committed this crime:

٣١٩٩ ومثلما يخشى بن يحيى التميمي أختنا هنيئاً عن منصور عن الحسن عن جطلان بن عبد الله الرقائبي عن عبادة بن الصامت قال قال رسول الله صلى الله عليه وسلم خذوا عني خذوا عني قد جعل الله لهن سبيلاً البكر باليكر جلد مائة ونفس سنة والفتية بالفتية جلد مائة والزوجم

‘Ubadah Ibn Samit reported: that Rasul-Allah ﷺ said: take from me take from me. Allah chalked out a way for them [fornication] a virgin with a virgin 100 stripes and exile for a year, and one married person with another married person 100 stripes and stoning to death.²⁵⁶

Imam Ibn Taimiyyah said Rasul-Allah ﷺ ordered stoning to death to Ma'iz Ibn Malik, a woman from Ghamdia tribe, a Jew man and woman, a woman who committed adultery with her servant all were married. After Rasul-Allah ﷺ his successors too used to order stoning to death all those married men and women who committed adultery.²⁵⁷

No punishment for rape victim

١٣٧٢ ومثلما علي بن حنبل حدثنا معمر بن سليمان الرقي عن الحجاج بن أرملة عن عبد الجبار بن وائل بن حنبل عن أبيه قال استكرهت امرأة على عهد رسول الله صلى الله عليه وسلم فذراً عنها رسول الله صلى الله عليه وسلم الحد وأقامه على الذي أصابها ولم يذكر أنه جعل لها مهراً

Wa'il Ibn Hujr reported that a woman was raped at the time of Rasul Allah ﷺ, then he cancelled the ordained punishment for her and enforced it against one who raped her. He did not mention whether he fixed for her any dowry.²⁵⁸

Punishment for sodomy

According to Imam Ibn Taimiyyah Companions of Rasul-Allah ﷺ were in agreement about the punishment of death for both persons involved in sodomy whether they are married or unmarried Imam Ibn Taimiyyah narrated Hadith in this regard:

١٣٧٦ مَرْثَا مُحَمَّدُ بْنُ عَمْرٍو السَّوَالِي حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ عَنْ عَمْرٍو بْنِ أَبِي عَمْرٍو عَنْ عِكْرِمَةَ عَنْ ابْنِ عَبَّاسٍ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ وَجَدْتُمُوهُ يَفْعَلُ عَمَلُ لُوطٍ فَأَقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ ۖ

Ibn ‘Abbas reported that Rasul-Allah ﷺ said: whosoever you find doing the deed of the people of Lut, kill the doer and one on whom it is done.²⁵⁹

Companions of Rasul-Allah ﷺ were in agreement about the death penalty for both involved in this crime but they had different opinion about the killing of these persons. Ibn ‘Abbas narrated ‘Aliyy burnt them both and Abu Bakr threw a wall upon them.

Punishment for drinking wine

Punishment for drinking wine is proved by the sayings of Rasul-Allah ﷺ and there is a consensus of Islamic scholars on it. Imam Ibn Taimiyyah narrated Hadith about the said punishment:

Imam Ibn Taimiyyah narrated Hadith about the punishment for drunkard.²⁶⁰

٣٨٨٦ مَرْثَا مُوسَى بْنُ إِسْمَاعِيلَ حَدَّثَنَا أَبَانُ عَنْ عَاصِمٍ عَنْ أَبِي صَالِحٍ ذَكَوَانُ عَنْ مُعَاوِيَةَ بْنِ أَبِي سُفْيَانَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِذَا شَرِبُوا الْخَمْرَ فَأَجْلِدُوهُمْ ثُمَّ إِنْ شَرِبُوا فَأَجْلِدُوهُمْ ثُمَّ إِنْ شَرِبُوا فَأَجْلِدُوهُمْ ثُمَّ إِنْ شَرِبُوا فَأَجْلِدُوهُمْ ثُمَّ إِنْ شَرِبُوا فَأَقْتُلُوهُمْ ۖ

“Ma‘wiyah reported that Rasul-Allah ﷺ said :whoever drinks wine flog him, again if he drinks wine flog him again if he drinks flog him again, if he drinks again (on fourth occasion) kill him.”²⁶¹

Punishment for accusation of adultery

وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُمْ ثَمَنِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً أَبَدًا وَأُولَئِكَ هُمُ الْفَاسِقُونَ ﴿٤٠﴾ إِلَّا الَّذِينَ تَابُوا مِنْ بَعْدِ ذَلِكَ وَأَصْلَحُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿٤١﴾

And those who launch a charge against chaste women, and produce not four witnesses, [to support their allegations], flog them with eighty stripes; and reject their evidence ever after: for such men are wicked transgressors; unless they repent thereafter and mend

[their conduct]: for Allah is Oft-Forgiving, Most Merciful. (al Nur 24:4-5)

According to Imam Ibn Taimiyyah above mentioned verse prescribes punishment for those who accuse chaste women of adultery. He further said when a free person accuses chaste man or woman of adultery and sodomy, he will be punished for this accusation and punishment for this *qadhif* (accusation) is eighty flogs. If he accuses chaste man or woman for any other guilt he will be punished by *ta'zir* laws. According to Imam Ibn Taimiyyah it is a right of accused to demand punishment for accuser and if he did not demand punishment, accuser will not be punished. There is a consensus among the Islamic scholars on this issue. Majority among the Islamic scholars are of this opinion that, if accused person forgives accuse he will not be punished.

Some scholars said accused has no right to forgive accuser even if he forgives accuser punishment to accuser will not be cancelled because right of Allah is more prominent than right of a person in this guilt of *qadhif* (accusation). According to Imam Ibn Taimiyyah punishment for (accusation) becomes obligatory only when accused person is chaste, Muslim, free and charactered, if accused person is known sinner there will be no punishment for accuser.²⁶²

Imam Ibn Taimiyyah said there is no punishment for accuser if he accused infidel and slave but he will be punished by *ta'zir* laws. Similarly if accuser is a slave he will get half punishment for his guilt. If slave is accused of adultery and wine drinking he will get half punishment of what has been prescribed for free man, but if he has committed a crime for which prescribed punishment is death only, he will be killed, there arises no question of half punishment in that case.²⁶³

Punishment for murder

Imam Ibn Taimiyyah says there are three kind of killing:

Ist: Intentional killing which constitutes an attack on a man who is (not deserving to be killed) with an instrument which is usually fatal and which kills by cutting as, for example a sword, or by its weight, an anvil or a bleacher or in any other way such as burning, drowning, throwing from a high place, strangling, crushing the testicles until death supervenes, suffocating until the victim expires, poisoning and the like. Any one who commits one of these acts should suffer retaliation, that is, be given up to the near relatives of the killed who may kill him, if they choose, or may forgive him or ask for a blood money. Imam Ibn Taimiyyah narrated Hadith:

٣٨٩٨ حدثنا موسى بن إسماعيل حدثنا حماد بن حنبل عن إسماعيل بن علقمة عن الجارود بن فضال عن شفيان بن أبي العوجاء عن أبي شريح الخزازي أن النبي صلى الله عليه وسلم قال من أصيب يقتل أو جرح فإنه يختار إحدى ثلاث إما أن يقتص أو إما أن يأخذ الدية فإن أراد الرابعة فخذوا على يديه ومن اعتدى بعد ذلك فله عذاب أليم ﴿٣٨٩٨﴾

Abi Shuraihi al Khuza'iyah reported that: al-Nabiyy ﷺ said :he of whom a near relative has been [unjustly] killed or [who was] wounded has one of three choices, if he insists on a fourth [choice], then restrain him to kill [the killer] or forgive to take a blood money. He who makes one of these [choices] then makes a further revenge, for him in the fire of Hell to abide in it for ever.²⁶⁴

Second is killing by mistake resembling intention:

عن عبد الله بن عمرو أن رسول الله صلى الله عليه وسلم قال
ألا إن دية المخطئ دية العمد بنا نحن بالنوعين أعتد بانه بين إرسل يثلم بين يطويها فؤادها حدثنا موسى
ابن إسماعيل حدثنا وهيب بن خالد بن علقمة بن علقمة ﴿٣٨٩٨﴾

‘Abd Allah Ibn ‘Amr reported that Rasul Allah said: there is in the killing by mistake resembling intention-being effected by a whip or a stick-blood money of a hundred she camels, forty of which should be pregnant.²⁶⁵

Rasul-Allah ﷺ has called this kind of killing ‘killing by mistake resembling intention’ because (the guilty) intended aggression by beating only, which often does not lead to death. He intended aggression and did not intend to kill.

Third is killing (purely) by mistake or in similar circumstances, for example if a man were shooting at game or at a target and he hit another man unintentionally, such cases do not imply the death penalty, but they impose the blood money and a expiations.²⁶⁶

One who helps killer

عن ابن عمر عن النبي ﷺ قال: إذا أمسك الرجل وقتله الآخر يقتل الذي قتل ويحبس الذي أمسك.
“Ibn ‘Umar reported that al-Nabiyy ﷺ said: when a man keeps hold of a man and another kills him, the man who has killed is to be killed, and the man who has caught him is to be imprisoned.”²⁷⁵

Retaliation for wounds

Retaliation in the case of wounds is also indicated in the Book, in the Sunnah and by consensus (of the Muslim scholars), provided there is parity (between the wounder and the wounded) :if a man cut off the right hand of another

man from the joint, the other man may cut off the hand of the former in like manner, if he dislocated another's tooth, the other may dislocate his tooth, and if he made a wound in another's skull or face going deep to the bone (causing of fracture), the other may retaliate in the same way. But if retaliation in the same manner is impossible, as in the case of an internal fracture or a wound which does not go deep enough to expose the bone, no retaliation is allowed, but a relative fine should be paid. Common beating with the hand or with the whip or with the stick implies, in the opinion of a group of learned men, no retaliation. It necessitates, however, *ta'zir*, since it is impossible to retaliate in such cases, in an exact manner²⁶⁸, Imam Ibn Taimiyyah's above mentioned views regarding retaliation for different wounds is based on various Ahadith, one important Hadith about retaliation of wounds is as follows:

عن ابي بكر ان رسول الله ﷺ كتب الى اهل اليمن وكان في كتابه ان من اعتبط مؤمناً قاتلاً فإنه قود يده
الا ان يرضى اولياً المقتول وفيه ان الرجل يقتل بالمرأه وفيه في النفس الدية مائه من الابل وعلى اهل
الذهب الف دينار وفي الالف اذا وجب جدعه الدية مائه من الابل وفي الاسنان الدية وفي السنفتين الدية
وفي البيضتين وفي الصلب الدية وفي العينين الدية وفي الرجل الواحد نصف الدية وفي
الما مومه ثلث الدية وفي الجائنه ثلث الدية وفي المقتله خمس عشره من الابل
عشره من الابل وفي السن خمس من الابل.

Abi Bakr reported that Rasul-Allah ﷺ wrote to the inhabitants of Yemen, and there was in his letter, who so kills a believer unjustly will suffer retaliation for what his hand has done unless the relatives of the murdered man consent otherwise. And therein it was: A man shall be killed for (the murder of) a woman. And there in it was :for the (murder of) a life, there is blood-wit of 100 camels, 1000 *dinars* on the owner of gold, for a nose which has been cut off from the root, its indemnity of murder in case of teeth, there is indemnity of murder in case of lips, there is indemnity of murder in case of testicles, there is indemnity of murder in case of penis, there is indemnity of murder in case of the backbone, there is indemnity of murder in case of one foot, there is one-third of blood-wit in case of wound in the head, there is one-third of blood wit in case of wound in the stomach. In case of the fracture of a bone in hand there is indemnity of 15 camels, in case of a finger out of the fingers of hand and each toe there are 10 camels, and in case of tooth, there are 5 camels.²⁶⁹

Retaliation in connection with dishonouring others is also lawful. If a man curses another man or invokes Allah to maltreat him in some way, the other man may retaliate similarly, when who abuses some other are by mentioning certain

demerits of his, he too can return same for same. Imam Ibn Taimiyyah narrated Hadith from which he derives his views:

٤٦٨٨ حدثنا يحيى بن أيوب وقتيبة وابن حجر قالوا حدثنا إسماعيل بن عيون بن جعفر عن العلاء عن أبيه عن أبي هريرة أن رسول الله صلى الله عليه وسلم قال الممتتان ما فلا فعلى التبادي ما لم يعتد المظلوم ❊

Abi Hurairah reported that Rasul-Allah ﷺ reported :the two who Abuse each other, whatever they may say- he who has begun is to blame, unless the oppressed (abused preliminarily) has retaliated in excess :has exceeded (lawful) reparation.²⁷⁰

Punishment for spying

Imam Malik and certain other jurists agreed that some of the crimes, for which no *hadd* penalty is assigned, may be punished (even) by death for example in the case of a Muslim spy who spies on his fellow Muslims at the instigation of the enemy. Imam Malik and certain followers of the Hanbali school, like Ibn, ‘Aqil allowed that such a spy should be killed, Abu Hanifah, al Shafi‘i and certain other followers of the Hanbali school, like Abu Ya‘la, forbid it.²⁷¹

Punishment for one who initiates innovation and punishment for wizard

Certain followers of the schools of al Shafi‘i and Ahmad as well as other schools, agreed that the initiator of innovation which are contrary to the precepts in the Book and the Sunnah be put to death. There is the same attitude towards the wizard; the majority of the learned men in the law maintain that he should be put to death. Imam Ibn Taimiyyah quoted Hadith about wizard:

١٣٨٠ حدثنا أحمد بن ميمع حدثنا أبو معاوية عن إسماعيل بن مسلم عن الحسن بن جندب قال قال رسول الله صلى الله عليه وسلم خذ الشاير ضرباً بالشيف ❊

“Jundub reported that Rasul-Allah ﷺ said: that penalty imposed on the wizard is a stroke with the sword.”²⁷²

There are no legal penalties or expiation for some disobedience:

1. The case of the man who kisses a boy or a woman unrelated to him.
2. The case of the man who flirts without intercourse.
3. Eats a forbidden thing like blood or dead animal.
4. Who defames people other than adultery.
5. Who steals a thing unguarded or of mean value.
6. Who misappropriates things entrusted to him, as for example the exchequers, the trustees of charitable institutions, the guardians of orphans, the agents and the partners when they defalcate.
7. Who cheats in his dealings (with others) like merchants.
8. Who debase the commodities such as foodstuffs and clothes.

9. Who gives short measure (of capacity or weight).
10. Who bears false witness or encourages others to bear false witness.
11. Who accepts bribes to pass favourable judgements or who judges contrary to what Allah has enjoined.
12. Who exercise aggression on his subjects.
13. Who challenges others as was done in the pre Quranic (pagan age) period or answers the challenge.
14. All those should suffer correction by flogging (in three degrees) (*ta'zir*) to inflict corporal pain on them and make them dispirit in the eyes of their people (*tankil*) to beat them without mercy, as to make of them a warning to others (*tadib*) to discipline them.²⁷³

What is *Ta'zir*

Ta'zir is not a definite punishment, it is generally an infliction of some pain on a man by word or action or by avoiding saying a good word to him or doing a good deed for him. It may be by harsh admonition or reproach, it may be by forsaking him and neglecting to salute him until he repents if this is likely to have the desired effect, it may be deposing him from office, as the Rasul-Allah ﷺ, and his Companions used to do, it may be by excluding him from the Muslim army, as the warrior, who flees during the march to the enemy, would be excluded, to cut off the salary is a kind of *ta'zir*. If the viceroy, further committed a scandalous action, his deposition from viceroyship is also a *ta'zir*.

Ta'zir also may be by imprisonment, by beating, by daubing the face black or by making the guilty ride, backwards on a donkey. The maximum *ta'zir* (by flogging) should not exceed, as is sometimes said, ten stripes.

Further, many jurists maintain that *ta'zir* should always be inferior to legal penalty. Some of them say it should not attain even to the minimum of legal penalties. Thus a free man, who is to be punished by *ta'zir* should not receive the forty or eighty stripes which is the regular flogging for a guilty free man.²⁷⁴

To sum up, punishment is of two kinds, first, the punishment because of previous crime which one has earned, an exemplary punishment from Allah, as for example the penalty imposed on the drinker of wine and the accuser of the chaste man and woman, the second kind being the penalty with the object of making the punished person carry out an enjoined duty or avoid a forbidden action in the future. To this latter kind belongs the punishment of a renegade who is asked to repent (to-embrace-Islam) if he does not, he should be put to death. Similar to that is the case of the person who neglects to perform *salah*, to pay *zakah* he should be punished again and again until he starts to carry out (the neglected duty) again.

The *ta'zir* for the second category of crimes should be more severe than that in the first category. Therefore, it is permitted to flog the guilty (of the second category of crimes) frequently until he performs the enjoined *salah* or any other obligatory duty.

Imam Ibn Taimiyyah said about the Hadith:

١٣٨٣ مَرْثَا فَتَبَيَّنَ حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الْأَسَجِّ عَنْ سُلَيْمَانَ بْنِ يَتَارٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ جَابِرٍ عَنْ عَبْدِ اللَّهِ عَنْ أَبِي نُزْدَةَ بْنِ يَتَارٍ قَالَ قَالَ رَسُولُ اللَّهِ ﷺ عَلَيْهِ وَسَلَّمَ لَا يُجْلَدُ فَوْقَ عَشْرِ جَلْدَاتٍ إِلَّا فِي حَدٍّ مِنْ حُدُودِ اللَّهِ ﴿٢٧٥﴾

“Abi Burdah reported that Rasul-Allah ﷺ said: Nobody should be given more than ten strips except in the case of overstepping one of the limits set up by Allah.”²⁷⁵

This Hadith has been explained by a group of law experts, they said: *hadud* of Allah means duties and prohibitions with regard to Allah. The word *hadud* in the Book and Sunnah mean the dividing lines between the lawful and the unlawful, that is, where the lawful ends and unlawful begins:

أَجَلٌ لَكُمْ لَيْلَةُ الصِّيَامِ الرِّفْثُ إِلَى نِسَائِكُمْ هُنَّ لِبَاسٌ لَكُمْ وَأَنْتُمْ لِبَاسٌ لَهُنَّ عَلِمَ اللَّهُ أَنْتُمْ كُنْتُمْ تَخْتَاوْنَ أَنْفُسَكُمْ فَتَابَ عَلَيْكُمْ وَعَفَا عَنْكُمْ فَالْآنَ بَاشِرُوهُنَّ وَابْتَغُوا مَا كَتَبَ اللَّهُ لَكُمْ وَكُلُوا وَاشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمْ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ ثُمَّ أَتِمُّوا الصِّيَامَ إِلَى اللَّيْلِ وَلَا تُبَاشِرُوهُنَّ وَأَنْتُمْ عَاكِفُونَ فِي الْمَسَجِدِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَقْرُبُوهَا كَذَلِكَ يُبَيِّنُ اللَّهُ آيَاتِهِ لِلنَّاسِ لَعَلَّهُمْ يَتَّقُونَ ﴿٧٧﴾

أَلْطَلَقَ مَرَّتَانِ فِيمَا سَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيحٍ بِإِحْسَنٍ وَلَا يَحِلُّ لَكُمْ أَنْ تَأْخُذُوا بِمَا آتَيْنَاهُمْ مِنْ شَيْءٍ إِلَّا أَنْ يَخَافَا أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَإِنْ خِفْتُمْ أَلَّا يُقِيمَا حُدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا افْتَدَتْ بِهِ تِلْكَ حُدُودُ اللَّهِ فَلَا تَعْتَدُوهَا وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَأُولَئِكَ هُمُ الظَّالِمُونَ ﴿٢٢٦﴾

Permitted to you, on the night of the *sawm*, is the approach to your wives. They are your garments and you are their garments. Allah know what you used to do secretly among yourselves; but He turned to you and forgave you; so now associate with them, and seek what Allah has ordained for you, and eat and drink until the

white thread of dawn appear to you distinct from its black thread; then complete your *sawm* till the night appears; but do not associate with your wives while you are in retreat in the mosques. Those are limits [set by] Allah: approach not nigh thereto. Thus does Allah make clear His signs to men: that they may learn self-restraint.

A divorce is only permissible twice: after that, the parties should either hold together on equitable terms, or separate with kindness. It is not lawful for you, [men], to take back any of your gifts [from your wives], except when both parties fear that they would be unable to keep the limits ordained by Allah. If you [judges] do indeed fear that they would be unable to keep the limits ordained by Allah, there is not blame on either of them if she gives something for her freedom. These are the limits ordained by Allah; so do not transgress them if any do transgress the limits ordained by Allah, such persons wrong [themselves as well as others].

(al Baqarah 2:187,229)

Flogging which is enjoined by the Islamic law, is moderate flogging with the whip, neither light nor heavy. In this respect, ‘Aliyy has said ‘Beating between two extremities of beating’ neither light nor heavy, but flogging can never be with a stick nor with scourge. To flog with a *dirra* (bull’s pizzle, light lash or whip) is not enough (in the *hadud*), though it is used in *ta‘zir* punishment in the case of lesser crimes.

Legal penalties, on the other hand should be executed with the (usual) whip. ‘Umar used to punish with the *dirra*, and if it is a case of legal penalty, he used to ask for a whip.

Imam Ibn Taimiyyah said, all the clothes of the condemned should not be stripped before flogging, but only those which prevent him from feeling the pain of the beating, neither should he be tied (to a post) if it is not necessary, nor should the blows fall on his face. Rasul-Allah ﷺ has said:

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِذَا قَاتَلَ أَحَدُكُمْ أَخَاهُ فَلْيَجْتَنِبِ الْوَجْهَ ۖ

“Abi Hurairah reported that Rasul-Allah ﷺ said: when you execute the penalty [with beating], avoid the face of the condemned (and the vital organs should not be struck).”²⁷⁶

The object of the penalty and the punishment should be to correct the guilty, not to kill him; every part of the body should receive its share of the beating, the back, the shoulders and the hips.²⁷⁷

CHAPTER NOTES IV

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3. MU, 20.
4. Talcott Parsons, *Social System*, n.p, n.d, pp.10, 11.
5. Ibn Taimiyyah, MF, op.cit, vol.19, p.85.
6. Ibid, p.91.
7. Victor E. Makari, *Ibn Taimiyyah's Ethics, The Social factor*, America, American Academy of Religion, 1983, p.113.
8. Ibn Taimiyya, *al Siyasah al Shari'ah*, henceforth abbreviated as SS, Cairo Egypt, Dar al 'Aruba, 1951, p.2.
9. Ibn Taimiyyah, MF, op.cit. vol.28, p.39.
10. Ibn Taimiyyah, *Iqtida al Sirat al Mustaqim*, henceforth abbreviated as ISM. Cairo Egypt, Matb'at al Sunnah al Muhammadiyah, 1950, pp.144, 145.
11. Ibid, p.144.
12. TM, 3540.
13. Ibn Taimiyyah, ISM, op.cit. pp.148,205.
14. Ibid, p.169.
15. Ibn Taimiyyah, MF, op.cit, vol.28, p.129.
16. BU, 5990.
17. Ibid, 5531.
18. MU, 4685.
19. BU, 5606.
20. Ibn Taimiyyah, MRK, op.cit. vol.1, pp.241,257.
21. Ibn Taimiyyah, MRM, op.cit. vol.1, p.154.
22. MU, 4023.
23. Ibid, 64.
24. BU, 2262.
25. Ibn Taimiyyah, MRK, op.cit. vol.1, p.314.
26. Agreed upon.
27. MU, 1673.
28. Ibn Taimiyyah, SS, op.cit. p.186.
29. MSH, 2962.
30. IM, 1837.
31. MU, 2545.
32. TM, 1020.
33. Ibid, 1022.
34. MU, 4754.
35. Ibid, 4770.
36. Ibid, 4717.
37. BU, 4720.
38. Agreed upon.
39. AD, 1830.
40. TM, 1082.
41. IM, 1847.
42. TM, 1081.

43. AD, 1828.
44. JS, 725.
45. BU, 5467.
46. Ibid, 5472.
47. TM, 1875.
48. MU, 4765.
49. BU, 5539.
50. IM, 3652.
51. TM, 1621.
52. TM, 1824.
53. MU, 4627.
54. Ibid, 4621.
55. BU, 5529.
56. MU, 4638.
57. BU, 5525.
58. Ibid, 5532.
59. TM, 594.
60. Ibid, 1865.
61. MSH, 3617.
62. MU, 66.
63. BU, 5557.
64. Ibid, 5561.
65. MU, 4759.
66. MSH, 3761.
67. BU, 2333.
68. Ibid, 2358.
69. Ibid, 2370.
70. IM, 2680.
71. TM, 1872.
72. AD, 4489.
73. IM, 3681.
74. BU, 5546.
75. IM, 3669.
76. BU, 5548.
77. TM, 1842.
78. TM, 1945.
79. IM, 3702.
80. TM, 1845.
81. AD, 4290.
82. BU, 1229.
83. MU, 2371.
84. AD, 4273.
85. BQ.2783.
86. MSH,3764.
87. BU, 2272.
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89. MU, 4685.
90. BU, 2266.
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93. TM, 2092.
94. BU, 2264.
95. MU, 4023.
96. TM, 2612.
97. TM, 1864.
98. BU, 2262.
99. TM, 1852.
100. BU, 3496.
101. Ibid, 3498.
102. Ibn Qayyim, *Za'd al-Ma'ad*, U.P.India, Maktaba Thanwi, 1978, vol.2, p.79.
103. Ibn Sa'd, op.cit. vol.1, p.219.
104. Idem.
105. Ibn Taimiyyah, MF, op.cit. vol.35, p.60.
106. Ibid, p.59.
107. Akram, op.cit. vol.1, pp.64-70.
108. Ibn Taimiyyah, MF, op.cit. vol.35, p.58.
109. Idem.
110. AD, 2536.
111. BU, 2262.
112. MU, 249.
113. Ibn Taimiyyah, MF, op.cit. vol.35, p.59.
114. Ibid, p.60.
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115. Nisar Ahmad, *The fundamental teachings of Qur'an and Hadith*, New Delhi India, Kitab Bhavan, 1994, pp.154-156.
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117. Nisar, op.cit. pp.171,172.
118. 'Abd al Azim Islahi, *Economic Concepts of Ibn Taimiyyah*, United Kingdom, The Islamic foundation,1408 A.H. p.71.
119. Ibid, pp.70, 71.
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122. Ibid, p.33.
123. Ibid, pp.31, 33.
124. Victor, op.cit. p.163.
125. Ibn Taimiyyah, HFI, op.cit. p.42.
126. Ibid, p.81.
127. Ibid, p.21.
128. Victor, op.cit. p.166.
129. Ibid, p.167.
130. Ibn Taimiyyah, MF, op.cit. vol.29, p.16.
131. Ibn Taimiyyah, HFI, op.cit. p.39.
132. Ibid, p.38.
133. MU, 3012.
134. Ibn Taimiyyah, HFI, op.cit. p.39.
135. Idem.
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137. Ibid, 517.
138. BU, 1317.

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140. Ibid, p.11.
141. Idem.
142. AD, 1335.
143. MT, 528.
144. Ibn Taimiyyah, MF, op.cit. vol.25, p.13.
145. MT, 517.
146. Ibn Taimiyyah, MF, op.cit. vol.25, p.12.
147. BU, 1361.
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- 237. Abu Zahrah, op.cit. p.356.
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- 239. Abu Zahrah, op.cit. p.358.
- 240. Idem.
- 241. BU, 6290.
- 242. Ibn Taimiyyah, SS, op.cit. pp.133,134.
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- 244. IM, 2528.
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- 247. MSH, 3781.
- 248. Ibn Taimiyyah, MF, op.cit. vol.28, p.172.
- 249. MS, p.336.
- 250. BU, 6292.
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- 252. BU, *Kitab al Hadud*, vol.8, p.167.
- 253. AD, 3816.
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- 258. TM, 1372.
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CONCLUSION

Sunnah, an Arabic word which literally means ‘method’ is divided into three types, namely verbal (*qawli*), practical (*fi’li*) and tacitly approved (*taqriri*). Its authority derives from various verses of the Qur’an, sayings of Muhammad Rasul-Allah ﷺ. Rasul-Allah ﷺ said:

أَلَا إِنِّي أُوتِيتُ الْكِتَابَ وَمِثْلَهُ مَعَهُ ﴿٢١﴾

“Behold I have been given the Book and a similar thing [Sunnah] along with that.”¹

As we have discussed in Chapter I Hadith is a reporting of the Sunnah of Rasul-Allah ﷺ, which is the second principal source of Islamic legislation.

Allah’s object was not to give a system of abstract ideas, which could only be discussed and talked about. His object was to make the people practically obey His injunctions. This required concrete precedents to be laid down for every walk of human life. Only abstract thought can be explained in a book; the concrete bases can be laid down only by a human being. Therefore, Allah entrusted this job to His Rasul.

لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ ﴿٢١﴾

“For you the life of Rasul-Allah has got in it the model of behaviour.” (al Ahzab 33:21)

This is why the Qur’an was revealed piecemeal. The Quranic verses alongwith the circumstances under which those were revealed and the practice of the Rasul-Allah ﷺ thereon, constitute a body of concrete bases. Rasul-Allah ﷺ led his life and organized his society under the Divine guidance and thus succeeded in establishing behaviour patterns in every walk of human life, which are easily practicable and clearly communicable. Due to such a significant position of the Sunnah, Divine revelation was not limited to the Qur’an. The life of the Rasul-Allah ﷺ which was essentially to be obeyed by the people was not left without Divine guidance. The fact that the things other than the Qur’an were revealed on the Rasul-Allah ﷺ is witnessed by the Qur’an itself.

The Rasul-Allah ﷺ was not only the transmitter of the Qur’an but he also interpreted and exemplified it in word and action. The only difference between the ordinary expressions of the Rasul-Allah ﷺ and the revelations consists in the fact that, whereas the former is Divine in content alone, the latter is Divine in form also. The ground for this view is afforded by the Qur’an.

وَأَنْزَلْنَا إِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ وَلَعَلَّهُمْ يَتَفَكَّرُونَ ﴿٤٤﴾

“And we have revealed to you the Qur’an in order
that you may explain to men what has been revealed to
them.” (al Nahal 16:44)

Thus the Rasul-Allah’s ﷺ conduct is as important a source of *Shari‘ah* as the Book. It means that to Rasul-Allah ﷺ alone was the solution known and the knowledge he communicated to his followers is pretty clear from his sayings and deeds. He unfolded the meaning, distinguished between abrogated and abrogating verses, and communicated this knowledge to his Companions. It was from him that they learnt the meaning of the verses and the circumstances which led to each distinct revelation. The Companions thus instructed became perfectly familiar with the whole revelation. This knowledge they handed down word for word to their followers, the *tab‘in*, who in their turn passed it on to their followers *taba‘ tab‘in*. It is a belief of every Muslim that, the Rasul-Allah ﷺ not only spoke but also acted under Divine influence. This makes the Sunnah a true supplement to the Book and placed only next to it in order though equal in importance. Sunnah not only throws light on its meaning, but itself forms the basis on which the doctrine may be established. There can be no true conception formed of the Islamic system of law, society, economy and life etc. if the Sunnah is not taken into account. Muhammad Rasul-Allah ﷺ said:

تركت فيكم امرين لن تضلوا ما تمسكتم بهما كتاب الله وسنتي.

“I left two things among you. You shall not go astray as long as you hold them: the Book of Allah and my Sunnah.”²

The status of Sunnah, its authority and authenticity is based on the verses of the Qur’an. Thus both the Qur’an and the Sunnah constitutes one complete whole (the basis of Islam). Both are fundamentally interdependent. This is like one organic body constituted by different parts; together they make a living organism but divided they are impracticable. In the words of the Qur’an the relationship of the Qur’an and the Sunnah is that of a book and the light.

قَدْ جَاءَكُمْ مِنَ اللَّهِ نُورٌ وَكِتَابٌ مُبِينٌ ﴿١٥﴾

“And came to you from Allah, the light and the Book.” (al Ma’idah 5:15)

It is for the sake of description and explanation that, jurists say there are two basic sources of *Shari‘ah*. As a matter of fact there is only one source, that is, *wahy*. There has been a debate among the jurists whether Sunnah is an independent source or not? An adequate answer to the question as to whether the Sunnah is a mere supplement to the Qur’an or a source in its own right

necessitates an elaboration of the relationship of the Sunnah to the Qur'an in the following three capacities:

Firstly, the Sunnah may consist of rules that merely confirm and reiterate the Qur'an and are merely corroborated by the Sunnah. The question as to whether the Sunnah is an independent source is basically redundant with regard to matters on which the Sunnah merely confirms the Qur'an as it is obvious that in such cases the Sunnah is not an independent source. A substantial part of the Sunnah is, infact, of this variety, all Ahadith pertaining to the five pillars of the faith and such other matters like the right of one's parents, respect for the property of others and Ahadith which regulate homicide, theft and false testimony, etc, basically reaffirm the Quranic principles on these subjects thus, there is no room to say that Ahadith regarding these matters constitute an independent authority in its own right.

Secondly, the Sunnah may consist of an explanation or classification to the Qur'an. It may clarify the ambivalent (*mujmal*) of the Qur'an, qualify its absolute or specify the general terms of the Qur'an. This is once again the proper role that the Sunnah plays in relationship to the Qur'an in that it explains the Qur'an. Once again a substantial part of the Sunnah falls under this category. It is, for example, through this type of Sunnah that Quranic expressions like *salah*, *zakah*, *hajj* and *riba*, etc have acquired their juridical meanings. Have another example, with regard to the contract of sale the Qur'an merely declares sale to be lawful as opposed to *riba* which is forbidden. This general principle has later been elaborated by the Sunnah which expended the detailed rules of *Shari'ah* concerning sale including its conditions, varieties and sales which might amount to *riba*. The same could be said of the lawful and unlawful varieties of food, a subject on which the Qur'an contains only general guidelines and the Sunnah provides the details. Again on the subject of bequest, the Qur'an provides for the basic legality of bequest and the rule that it must be implemented prior to the distribution of the estate among the heirs. The Sunnah supplements these by enacting additional rules which facilitate proper implementation of the general principles of the Qur'an.

The foregoing two varieties of the Sunnah between them comprise the largest bulk of Sunnah and the '*ulama* are in agreement that these two types of Sunnah are integral to the Qur'an and constitute a logical whole with it. The two cannot be separated or taken independently from one another. It is considered that Sunnah which qualifies or elaborates the general provisions of the Qur'an on devotional matters (*ibadat*) on the punishment of theft, on the duty of *zakah*, and on the subject of bequest could only have originated in Divine inspiration, for these cannot be determined by means of rationality and *ijtihad* only.

Thirdly, the Sunnah may consist of rulings on which the Qur'an is silent in which case the ruling in question originates in the Sunnah itself. This variety of Sunnah, referred to as *al Sunnah al mu'assisah* or founding Sunnah, neither confirms nor opposes the Qur'an, and its contents cannot be traced back to the Book. It is only this variety of Sunnah which lies in the centre of the debate as to whether the Sunnah is an independent source of *Shari'ah*. To give some examples, the prohibition regarding simultaneous marriage to the maternal and paternal aunt of one's wife, the grandmother's entitlement to a share in inheritance, the punishment of *rajam*, (that is death by stoning for adultery when committed by a married Muslim) all originate in the Sunnah as the Qur'an itself is silent on these matters.

Some 'ulama including al Shatabi and al Shawkani are of the view that the Sunnah is an independent source. They have further maintained that the Quranic *ayah* in *surah* al Nahal 16:44 is inconclusive and that despite its being clear on the point that the Rasul-Allah ﷺ interprets the Qur'an, it does not overrule the recognition of Sunnah as an independent source. On the contrary, it is argued that there is evidence in the Qur'an which substantiates the independent status of Sunnah. The Qur'an for example, in more than one place, requires the believers to obey Allah and obey Rasul.

وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَاحْذَرُوا فَإِنْ تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّمَا عَلَى
رَسُولِنَا الْبَلَاغُ الْمُبِينُ ﴿٩٢﴾

“Obey Allah, and obey al Rasul, and beware [of evil]: if you do turn back, know you that it is Our Rasul's duty to proclaim [the Message] in the clearest manner.”
(al Ma'idah 5:92)

The fact that obedience to al Rasul is specifically enjoined next to obeying Allah warrants the conclusion that obedience to al-Rasul means, obeying Him. Whenever he orders or prohibits something which is also recommended or prohibited in the Qur'an then (أَطِيعُوا اللَّهَ) would be sufficient and there would be no need to add the phrase (أَطِيعُوا الرَّسُولَ). Elsewhere the Qur'an clearly places submission and obedience to Rasul-Allah ﷺ at the very heart of the faith and a test of one's acceptance of Islam. This is the purport of the *ayah* which reads (al Nisa 4:65) Further more the proponents of the independent status of the Sunnah have quoted the Hadith of Mu'adh Ibn Jabal in support of their argument.

١٣٤٩ مَرْثَا هَذَا حَدَّثَنَا وَكَيْعٌ عَنْ شُعْبَةَ عَنْ أَبِي عَوْنٍ التُّفَيْيِّ عَنْ الْحَارِثِ بْنِ عَمْرٍو عَنْ رَجَالٍ مِنْ أَصْحَابِ مُعَاذٍ أَنَّ رَسُولَ اللَّهِ ﷺ بَعَثَ مُعَاذًا إِلَى الْيَمَنِ فَقَالَ كَيْفَ تَقْضِي فَقَالَ أَقْضِي بِمَا فِي كِتَابِ اللَّهِ فَإِنْ لَمْ يَكُنْ فِي كِتَابِ اللَّهِ قَالَ فَبِسُنَّةِ رَسُولِ اللَّهِ ﷺ قَالَ فَإِنْ لَمْ يَكُنْ فِي سُنَّةِ رَسُولِ اللَّهِ ﷺ قَالَ أَجْتَهِدُ وَأُبَيِّنُ قَالَ الْحَمْدُ لِلَّهِ الَّذِي وَفَّقَ رَسُولَ اللَّهِ ﷺ وَرَسُولَ اللَّهِ ﷺ

Companions of Mu‘adh narrated: When Rasul Allah ﷺ sent Mu‘adh to Yemen he said to Mu‘adh: How will you make decision? He said: According to the Book of Allah. Rasul Allah ﷺ said: If you do not find anything [regarding the matter] in the Book of Allah, he said: I will consult Sunnah of Rasul Allah ﷺ, Rasul Allah ﷺ said: If you do not find anything in that too? He said: I will exert my opinion. Rasul Allah ﷺ said all praise to Allah who guided the envoy of Rasul Allah.³

This Hadith shows clearly that, the Sunnah is authoritative in case no guidance is available in the Qur’an. The Sunnah in other words, stands on its own status regardless as to whether it is substantiated by the Qur’an or not.

According to the majority of ‘*ulama*, however, the Sunnah, in all its parts, even when it enacts original legislation, is explanatory and integral to the Qur’an. Imam Shafi‘i’s view on this matter is representing the majority position which we quoted in the preceding chapter.

According to Imam Safi‘i *ulma*’s view which he himself supports about the relation of the Sunnah to the Qur’an is that, Allah has explicitly rendered obedience to His Rasul into an obligatory duty. In his capacity as Rasul-Allah ﷺ, he has introduced laws some of which originate in the Qur’an and others do not. But all *Nabwi* legislation emanate in Divine authority. The Sunnah and the Qur’an are of the same provenance and must be upheld and obeyed. Others have held view that the Rasul-Allah ﷺ is the chosen Rasul of Allah, thus it is sufficient proof for the authority of Sunnah and it is through the Sunnah that the Rasul-Allah ﷺ fulfilled his Divine mission and another view is that there is no Sunnah whose origin cannot be traced back to the Qur’an. This view maintains that even such Sunnah which explains the number and contents of *salah* and the quantities of *zakah* as well as the lawful and forbidden varieties of food and trade merely elaborate the general principles of the Qur’an.

The most important thing to note here is that both sides are essentially in agreement on the authority of Sunnah as a source of *Shari‘ah* they acknowledge that the Sunnah contains legislation which is not found in the Qur’an. The point which is basic to both these views is the authority of the Rasul-Allah ﷺ and the duty of adherence to his Sunnah.

The personality and character of Muhammad Rasul-Allah ﷺ constituted a model example for the Muslims. His life is a practical guidance and inspiration for

them. Therefore, Muslim scholars have taken measures to preserve the all relevant material about the life and character of Muhammad Rasul-Allah.

The history of compilation of the Sunnah goes back to the time of Rasul-Allah ﷺ himself as we have discussed the issue in chapter II in detail. The first written constitution of the Islamic State on the migration to Madinah is an illustration. The census was taken officially by 1 A.H and the illustrations and instructions to the governors, tax and tariff rules, some explanatory notes on Quranic verses are its established proof. Though Rasul-Allah ﷺ prohibited the Companions to write down Ahadith temporarily, but after some time he ordered and permitted them to write down the Ahadith. He, according to Imam Tirmidhi, directed an *ansari* to write down his sayings, permitted ‘Abd Allah Ibn ‘Amr Ibn al ‘As to do it, so that he may not forget, and similar are the cases of Abu Rafi‘, Anas Ibn Malik, ‘Amr Ibn Hazm collected state documents as the governor of Yemen.

The history of the compilation of Sunnah after the Rasul-Allah ﷺ is even more vast and detailed. Each Companion who narrated the Ahadith had a large number of pupils who compiled what they heard from him.

In the era of the *tab‘in* the compilation of Ahadith was undertaken officially by the famous *khalifa*, ‘Umar Ibn ‘Abd al ‘Aziz (99-101 A.H) He issued an official order to all governors under his domain that they should gather the knowledgeable persons among the Companions and their pupils and write down the Ahadith available to them.

The result of this official decree was that several books of Ahadith were prepared and spread all over the country. In the first century A.H more than 20 books were compiled on Ahadith and the list of books complied in the second century A.H is not only long but some of these books are available in market today.

This ample evidence is sufficient to falsify the assumption that the compilation of Ahadith did not take place before the third century A.H. The truth is that the compilation of Ahadith took place in the very days of the Rasul-Allah ﷺ and has continued in a disciplined way thereafter.

Imam Ibn Taimiyyah acknowledges the Qur’an as the *Shari‘ah’s* undisputed primary source. None of the *a’imah* and jurists disagreed on this; he says that the authentic Sunnah is inseparable from the Qur’an, because it reveals the intent of the Divine revelation. Both the Qur’an and the Sunnah are referred to as the *nasus* and as such they are held in a uniquely authoritative position, the authority of the Sunnah is an extension of the authority of the Qur’an itself, by Divine witness:

وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ﴿٥٨﴾

“So take what al-Rasul assigns to you, and deny yourselves that which he withholds from you.”

(al Hashr 59:7)

Imam Ibn Tamiyyah is convinced that the Sunnah must be held in the highest regard in legislation, because it is the key to understand the Qur'an, and because authentic Sunnah can never contravene the Qur'an.

According to Imam Ibn Tamiyyah, Rasul-Allah's ﷺ mission was to deliver Allah's message to mankind. Allah had commanded him clearly and that was his obligation, thus every Muslim is bound to follow him in every walk of life. Allah says:

إِنَّ الَّذِينَ يَكْفُرُونَ بِاللَّهِ وَرُسُلِهِ وَيُرِيدُونَ أَنْ يُفَرِّقُوا بَيْنَ اللَّهِ وَرُسُلِهِ وَيَقُولُونَ نُؤْمِنُ بِبَعْضٍ وَنَكْفُرُ بِبَعْضٍ وَيُرِيدُونَ أَنْ يَتَّخِذُوا بَيْنَ ذَلِكَ سَبِيلًا ﴿١٥٠﴾

“Those who deny Allah and His Rusul, and [those who] wish to separate Allah from His Rusul, saying: We believe in some but reject others: and [those who] wish to take a course midway.”

(al Nisa 4:150)

What is this differentiation which is condemnable in the eyes of Allah? Very obviously by professing to believe in Allah or for that matter in the word of Allah in the abstract, but rejecting His law as propounded by His *Rusul*, there is no room for obeying Allah and the Qur'an and disobeying His al-Rasul and his Ahadith it is heresy. Allah says:

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ ﴿٥٨﴾

“And whoever obeys al-Rasul, thereby obeys Allah.”

(al Nisa 4:80)

وَمَنْ يَعِصِ اللَّهَ وَرَسُولَهُ قَرِنًا لَهُ نَارُ جَهَنَّمَ خَالِدًا فِيهَا أَبَدًا ﴿٧٢﴾

“And whoever disobeys Allah and His Rasul, for him there is the fine of Hell These They shall remain for there.”

(al Jinn 72:23)

Thus, both positive and negative aspects about the obedience have been dealt within the Qur'an and the important thing to note here is that in both these verses obedience and disobedience has been mentioned separately, along with the obedience to Allah.

Imam Ibn Tamiyyah's unique and uncompromising approach to derive views directly from the *nasus* (the texts i.e. the Qur'an, the Ahadith) is his hall

‘Abd Allah Ibn ‘Umar reported that the Rasul-Allah ﷺ said: Behold! Each one of you is a king, and each one of you will be asked about his subjects. A leader is a shepherd over the people and he will be asked about his subjects, a man is a shepherd over the members of his household and he will be asked about his subjects, a woman is a queen over the members of the household of her husband and of his children, and she will be asked about them, a servant is a shepherd over the property of his master, and he will be asked about it. Behold each one of you is a shepherd, and each one of you will be asked about his subjects.⁵

عَنْ عَائِشَةَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ اللَّهُمَّ مَنْ وَلِيَ مِنْ أَمْرِ أُمَّيْسٍ شَيْئًا فَشَقَّ عَلَيْهِمْ فَاشْفَعْ عَلَيْهِ وَمَنْ وَلِيَ مِنْ أَمْرِ أُمَّيْسٍ شَيْئًا فَرَفَقَ بِهِمْ فَارْفُقْ بِهِ ﴿٦٠٩﴾

‘A’isha reported that; al-Nabiyy ﷺ said: O Allah! One who so is given power over any of the affairs of my people and then he gives trouble to them, give trouble to him, and one who is given power over any of the affairs of my people and then he shows mercy to them, show mercy to them.⁶

٦٠٩ حُرِّثْنَا مُنْذُ حَدَّثْنَا يَحْيَى بْنُ سَعِيدٍ عَنْ شُعْبَةَ عَنْ أَبِي السَّيَّاحِ عَنْ أَنَسٍ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اسْمَعُوا وَأَطِيعُوا وَإِنْ اسْتَغِيلَ عَلَيْكُمْ عَبْدٌ خَبِيثٌ كَانَ رَأْسُهُ زَبْزَبَةً ﴿٦٠٩﴾

“Anas reported that: Rasul-Allah ﷺ said. Hear and obey though a Negro whose head is like a raisin is appointed [to rule over you].”⁷

All that is found on earth, in the havens, the oceans and others have been made subservient to man by Allah. Allah has created all these resources for the benefit of mankind. It is therefore:

The birth right of every human being to try and secure his share out of the world, all men enjoy this right equally and none can be deprived of it, nor should one man get precedence over another. There can be no compulsion on any individual, race, or class, for taking to certain means of livelihood or adopting a certain profession. All are entitled to equal opportunities in the economic realm. Similarly no distinction is valid in Islam which would result in creating a monopoly of a particular means of livelihood for a particular person, class, race, or group of people.

Islam demands that in all contractual participants, the profit as well as the risk should be shared by both the contracting parties.

مَا آفَاءَ اللَّهِ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَى فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي
الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً
بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ
فَانْتَهُوا وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٥٧﴾

What Allah has bestowed on His Rasul [and taken away] from the people of the townships, belongs to Allah, to His Rasul and to kindred and orphans, the needy and the wayfarer; in order that it may not [merely] make a circuit between the wealthy among you. So take what al-Rasul assigns to you, and deny yourselves that which he withholds from you. And fear Allah; for Allah is strict in Punishment. (al Hashr 59:7)

It is on the basis of this fundamental principle that Islam has constructed its economic system.

عن عائشة قالت سمعت رسول الله ﷺ يقول: فأخاطبت الزكوة ما لا قط إلا اهلكته.
“A’isha reported: I heard the Rasul-Allah ﷺ said:
zakah never mixes with a property but to destroy it.”⁸

٣١٥٠ حدثنا محمد بن الصباح وزهير بن حرب وعثمان بن أبي شيبة قالوا حدثنا همام أخبرنا أبو الزبير عن
جابر قال قال رسول الله صلى الله عليه وسلم أكل الربوا وموكله وكتابه وشاهديه وقال هم سواء ﴿٥٨﴾

“Jabir reported that the Rasul-Allah ﷺ cursed the devourer of usury, its payer, its scribe, its witness. And he said that they are equal [in sin].”⁹

٣١١٢ حدثنا عبد الله بن مسleme بن قعنب حدثنا سليمان بن يعقوب ابن بلال عن يحيى وهو ابن سعيد قال كان سعيد بن
المنسيب يحدث أن معمرًا قال قال رسول الله صلى الله عليه وسلم من احتكر فهو خاطئ فقبل لسعيد فإلك
تحتكر قال سعيد إن معمرًا الذي كان يحدث هذا الحديث كان يحتكر ﴿٥٩﴾

“Ma‘mar reported that: Rasul-Allah ﷺ said:
Whoever is hoarding is a sinner.”¹⁰

The sphere of law in Islam is very wide. There is no field of life which is not ruled by law. Islam is a religion which demands respect for law based on the *nasus*, because it stands for orderly, disciplined, and regular habits of life and dislikes indiscipline, lawlessness, and care-free methods of work.

The main objective of the *Shari‘ah* is to construct human life on the basis of virtues (*ma‘rufat*) and to cleanse it of the vices (*munkirat*). It lays down the entire scheme of life in such a manner that virtues may flourish and vices may not venom human life. The *Shari‘ah* is a complete scheme of life and all-embracing social order-nothing superfluous, nothing lacking.

١٢٥١ حدثنا عبد القدوس بن محمد أبو بكر القطان حدثنا عمرو بن عاصم حدثنا عمران القطان عن أبي إسحق الشيباني عن عبد الله بن أبي أوفى قال قال رسول الله صلى الله عليه وسلم إن الله مع القاضي ما لم ينجر فإذا جاز تخلى عنه وترمه الشيطان ﴿

“Abd Allah Ibn Abi Aufa reported that Rasul-Allah ﷺ said: Verily Allah is with a judge so long as he is not unjust. When he is unjust [intentionally] He goes off from him, and the devil keeps attached to him.”¹¹

١٢٦١ حدثنا علي بن حجاج أنبأنا علي بن منبه وعبيدة عن محمد بن عبيد الله عن عمرو بن شعيب عن أبيه عن جده أن النبي صلى الله عليه وسلم قال في حلفيئة التينة على المدعي واليمين على المدعى عليه ﴿

“Amr Ibn Shu‘aib reported from his father who narrates from his grandfather that al-Nabiyy ﷺ said: Proof is upon the plaintiff and oath is upon the defendant.”¹²

١٢٨٩ حدثنا أبو الوليد حدثنا الليث عن ابن شهاب عن عروة عن عائشة أن أئمة كلهم النبي صلى الله عليه وسلم في أمر أو فقال إنما هلك من كان قبلكم أنهم كانوا يغيثون الحق على الوجيع ويتركون الشريف والذي نفسي بيده لو أن فاطمة فعلت ذلك لقطعت يدها ﴿

‘A’isha reported: Usamah approached al-Nabiyy ﷺ on behalf of a woman [who committed theft]. al-Nabiyy ﷺ said: The people before you were destroyed because they used to inflict the legal punishments on the poor and forgive the rich. By Him in whose hands my soul is if Fatimah would have did it, I would have cut off her hand.¹³

The Qur’an and the Sunnah are the two branches of the same Divine guidance for mankind for all times to come. Both were received through the same medium i.e. *wahy* to Rasul-Allah ﷺ. Together they comprehend the whole gamut of life both individual and social. The perfect model of behaviour for this was set by the last of *Anbiya* of Allah. The guides on the path, heirs (*wurtha*) of the (*‘ilm al- Nubbuwah*) are the *‘ulama* of the Qur’an and the Sunnah with the torch which illuminates the path connecting us with the roots and making our life fruitful spiritually, economically, politically and socially and enabling us to construct a universal civilization. Imam Ibn Taimiyyah belongs to this galaxy of luminaries.

NOTES

- IV. AD, 3988.
- V. Agreed upon.
- VI. TM, 1249.
- VII. MU, 4685.
- VIII. BU, 6605.
- IX. MU, 3407.
- X. BU, 6609.
- XI. Ibid, 1419.
- XII. MU, 2995.
- XIII. Ibid, 3012.
- XIV. TM, 1251.
- XV. Ibid, 1261.
- XVI. BU, 6289.

APPENDIX I

TWELVE MUHADDITHUN AND THEIR HADITH WORKS

1. Imam Malik Ibn Anas

Imam Malik Ibn Anas Ibn Malik was born in 95 A.H at Madinah. His grand father Malik was a *tabi'* and his great grand father was a *Sahabi* of Muhammad Rasul-Allah ﷺ. Originally his family belonged to Yemen, and in the time of Muhammad Rasul-Allah ﷺ, they settled in Madinah.

The *khalifa* Abu Ja'far asked Imam Malik to write a book which may be promulgated as the law of the State all over the Islamic world, Imam Malik disagreed with this and said that the Companions of Muhammad Rasul-Allah ﷺ were scattered all over the Muslim world, especially in the time of the *khalifa* 'Umar. The people learned from the Companions there is more than one choice in practising Islam. Hence it is better to leave every city with whatever knowledge it has of Islam.

Muwatta is not purely a Hadith book. It contains the Ahadith of Muhammad Rasul-Allah ﷺ, legal opinions of the Companions and the successors and of some later authorities. It contains 1720 Ahadith, of which 600 have *asnad*, 222 are *mursal*, 613 are *mawquf*, while 285 stop either at a Companion or a successor. The *Muwatta* may be treated as a brief but authoritative collection of legally oriented Ahadith. He died in 179 A.H.

2. Imam Ahmad Ibn Hanbal

Imam Ahmad Ibn Hanbal was born in 164 A.H at Baghdad Imam Ahmad was descended from the great Shaybani tribe of the Arabs. Imam was carefully brought up by his pious mother, his father having died young. Imam Ahmad appears to have lectured on Ahadith from an early age.

The *khalifa* al Mamun under the influence of his philosophical minded associates and perhaps wishing to build an intermediate doctrine which would prove acceptable to both Sunnis and Shi'i publicly accepted the *Mu'tazillah* creed, including the notion of the created nature of the Qur'an. When most scholars particularly Imam Ahmad Ibn Hanbal refused to accept his new creed, he threatened and persecuted him but Imam Ahmad refused to yield.

Imam Ahmad Ibn Hanbal devoted his entire life to the service of Hadith, spreading it through the large regiments of his disciples to every part of the Muslim world. His *Musanad* contains 30,000 Ahadith which he choose out of

some 750,000 Ahadith and *athar* narrated by more than nine hundred (900) Companions. He died before he gave it a final shape and his son ‘Abd Allah completed it in the course of 14 years. *Musanad* is not compiled in accordance with issues in law. The only criteria are to collect Ahadith of a certain Companions in one place. He died in 241 A.H.

3. Imam Abu ‘Abd Allah Bukhari

Imam Abu ‘Abd Allah Muhammad Ibn Isma‘il was born in 194 A.H. at Bukhara, he was of Persian origin. His father was *muhaddith* of some repute and died leaving him quite an infant, with considerable fortune. Imam Bukhari began the study of Hadith while he was young, even less than ten years of age. By the age of sixteen, he had memorized many books of prominent scholars such as Ibn al Mubarak, Waki‘ etc.

Hadith was almost an obsession with Imam Bukhari. He spread no pains for it, sacrificing almost every thing for its sake. Imam Bukhari had strong intellect and sharp retentive memory, on many occasions Imam Bukhari’s learning particularly his memory was put to severe tests, of a kind often favoured by rigorous scholars of the time, and seems always to have emerged with credit. At Baghdad, ten (10) *muhaddithun* changed the *asnad* and contents of a hundred (100) Ahadith, recited them to Imam Bukhari at a public meeting, and asked him questions about them. Imam Bukhari confessed his ignorance of the Ahadith which they had recited. But then he recited the correct, versions of the Ahadith concerned and said that probably his questioners had inadvertently recited them wrongly.

Sahih Bukhari is the most important, reliable and authentic book of Ahadith. He selected nearly 7275 Ahadith out of 600, 000 Ahadith, tested their genuineness according to canons of criticism he himself developed and arranged them according to their subject matter under separate headings, most of which are taken from the Qur’an, and in some cases from the Ahadith themselves, without repetition the number of Ahadith in *Sahih Bukhari* goes down to 2,602. This number does not include Ahadith *mauquf* and sayings of successors. He died in 256 A.H.

4. Imam Abu Husain Muslim

Imam Abu Husain Muslim Ibn al Hajjaj al Nishapuri was born in 204 A.H. His fore fathers occupied prominent position during the time of four *khulafah*; and Imam Muslim himself inherited a large fortune from his father who was also a *muhaddith* of some repute. He traveled many places with the object of learning

Hadith, among his famous teachers were Zubair Ibn Harb, Sa'id Ibn Mansur, 'Abd Ibn Humaid, Imam Bukhari, Ibn Mu'in etc. After finishing his studies in the different centres of learning, he settled down at Nishapur.

Like Imam Bukhari, Imam Muslim, regarded a Hadith as *sahih* only when it had been handed down to him through a continuous *asnad* of known and reliable authorities, was compatible with other material established in this way, and was free from various types of deficiency.

The *Sahih Muslim* was compiled at about the same time. It is considered as next to *Sahih Bukhari* in accuracy and authenticity. It is some what superior to *Sahih Bukhari* in the detail of arrangement of Ahadith. This book contains 3,033 Ahadith selected out of 300,000 Ahadith and *athar*. He died in 261 A.H.

5. Imam Muhammad al Tirmidhi

Imam Muhammad Ibn 'Isa Ibn Saura al Tirmidhi was born in 209 A.H at Makkah. He traveled a good deal in search of Ahadith, visiting the great centres of Islamic learning in Iraq, Persia and Khurasan, where he was able to associate with eminent *muhaddithun* such as Imam Bukhari, Imam Muslim and others. Like Imam Bukhari Abu 'Isa possessed a remarkable sharp and retentive memory, which was severely tested many times.

According to Imam Ibn Taimiyyah he was the first man to divide the Ahadith into three groups namely *sahih*, *hasan* and *da'if*, *muhaddithun* before him used to divide Ahadith into two categories only, besides this grouping he also determine the identity of the names, surnames and titles of the narrators of Ahadith and tried to fix the degree of their reliability by inventing peculiar names of each Hadith.

Imam Tirmidhi's *Jami' Tirmidhi* is recognized as one of the most important works of Ahadith literature. For the first time, the author used the principle of only considering those Ahadith on which the various rituals and laws of Islam had been established by the scholars of the various schools. He died in 279 A.H.

6. Imam Abu Dawud Sulaiman

Imam Abu Dawud Sulaiman Ibn al Ash'ath al Azdi al Sijistani was born in 202 A.H. He traveled extensively for the study of Ahadith. He traveled all the important centres of Hadith, learnt and collected them wherever they were found. Subsequently he was considered as a great *muhaddith*.

The scholars are unanimous about his great ability, trustworthiness, honesty and accuracy. He was not only a narrator of Ahadith and a good collector and compiler, but also a good lawyer and a very good critic. It is interesting to read

that while criticizing the Ahadith, he sometimes checked the written material, papers and ink to discover their age.

Imam Abu Dawud wrote many books on Ahadith and Islamic law of which his *Sunan* is the most important. It has been accepted by eminent jurists and *muhaddithun* as the authentic text book next to *Sahih Bukhari* and *Sahih Muslim*. It contains 4,900 Ahadith which were sifted from 500,000 Ahadith. This work took him nearly 20 years; there is another work of his on Hadith called *Musanad*. He died in 261 A.H.

7. Imam ‘Abd al Rahman al Nasa’i

Imam Abu ‘Abd al Rahman Ahmad Ibn Shu‘iab Ibn ‘Aliyy al Khurasani al Nasai’ was born in 214 A.H at Nasa’, a town in Khurasan. Having received his early education in his home province, he traveled at the age of fifteen (15) to Balkh, where he studied Ahadith for over a year. He traveled widely to Iraq, Arab, Syria and Egypt etc. Imam Nasa’ was a great scholar and critic. Some of the later scholars even esteemed him higher than Imam Muslim in his knowledge of Ahadith. He went for *Jihad* accompanying the Governor of Egypt. He was brave and in the military camp he used to try to guide the governor and army by teaching them Sunnah of Muhammad Rasul-Allah.

He was selective in his material and did not use some very important material because of one of the narrators was labeled as a weak narrator. Imam Nasai’ was very accurate in his recording; his *Sunan* work on Ahadith has been recognized as the best Hadith work of his time. In his *Sunan* he admitted that in his work there are weak and doubtful Ahadith, Imam Nasai’ compiled the legal Ahadith which he considered to be either fairly reliable or possible reliability. At the request of some of his friends, he also produced a synopsis of the *Sunan* called *al Mujtaba*, or *al Sunan al Sughra*. This latter work, which he claimed contained only reliable Ahadith, is now accepted as one of the six canonical collections. He died in 303 A.H.

8. Imam Abu ‘Abd Allah Ibn Majah

Imam Abu ‘Abd Allah Muhammad Ibn Yazid al Rab‘i known as Ibn Majah was born in 209 A.H at Qazwin, the city of Iran. At about 15 as it was the custom of that period he began his journey for the learning of Hadith after 230 A.H he visited Khurasan, Iraq, Hijaz, Syria, Egypt etc, he studied under the great *muhaddithun* of his day, and compiled several works in the area of Hadith, the most important being his *Sunan*.

He did not mention his criteria for selecting the materials. Neither did he mention the aim he had in his mind in compiling this work. His book is of the lowest grade in the collection of the six principal works. His book contain 4341 Ahadith, out of them 3002 have been recorded by authors of the remaining five books, either by all or by one of them. Imam Ibn Majah presented it for criticism to Abu Zar'a he liked the general plan of the book, and remarked that he expected it to supersede the Hadith works which then enjoyed general currency. He also said that the number of weak Ahadith in the book was not large. He died in 273. A.H.

9. Imam Abu Muhammad al Darimi

Imam Abu Muhammad 'Abd Allah Ibn 'Abd al Rahman al Darimi was born in 181 A.H at Baghdad, he was a member of the Arabi clan of the Banu Darim, an offshoot of the tribe of Tamim, to which he was probably attached as a *mawla*, he traveled a good deal in search of Ahadith and studied under important *muhaddithun* such as Yazid Ibn Harun and Sa'id Ibn 'Amir. Well known for his devotion to his field, he was also celebrated for his honesty and piety. His *Sunan* is among the earliest Hadith books.

The work *Sunan al Darimi* contains some 3550 Ahadith arranged in more than thousand chapters according to subject, this book is generally accepted as an important source, and has been regarded by some *muhaddithun* as the sixth of the canonical collections. But the truth is that this *Sunan* contains many Ahadith which do not satisfy the conditions necessary for genuine ones. He died in 255 A.H.

10. Imam Abu al Hasan al Darqutni

Imam Abu al Hasan 'Aliyy Ibn 'Umar al Darqutni was born in 306 A.H at Darqutan a quarter in Baghdad. Imam Darqutni rapidly acquired Islamic sciences in particular the Ahadith.

Imam Darqutni was famous for his piety, sincerity simple living, intellect, sound reasoning and Hadith criticism he had an extra ordinary authority over *'Ilm Asma al Rijal*. According to famous Islamic scholar Abu al Tayyib Imam Darquti is *Amir al Muminin fil Hadith*.

Imam Darqutni himself compiled many useful works on Hadith and related subjects. The most useful of these is the *Sunan al Darqutni*, which was recognized as one of the most reliable Hadith collections next in importance only to *Sihahi Sittah*. In his *Sunan* Imam Darqutni adduces Ahadith he considers reasonably

authentic, supplementing them with *asnad* and alternate versions. He died in 385 A.H.

11. Imam Abu Bakr al Baihaqi

Imam Abu Bakr Ahmad Ibn al Husain was born in 384 A.H at Baihaq a village near Nishapur. He studied Ahadith from more than hundred eminent *muhaddithun* of his time, he had specialization in various Islamic sciences particularly in Hadith and *fiqh* and very soon became remarkably prolific author, producing several hundred books on Hadith and Shafi'i law some of which are said to be unparalleled in the history of literature. His two *Sunan* works of an unusual length and thoroughness are particularly revered. His reputation as a *muhaddith* and a jurists attracted the attention of the learned men of his city, who invited him to their city and requested him to read one of his books to them. He died in 458 A.H.

12. Imam Abu al Qasim Sulaiman

Imam Abu al Qasim Sulaiman Ibn Ahmad Ibn Ayyub al Tabarani was born in 260 A.H. at 'Akka. His family belonged to Yemeni tribe Lakhm who migrated to Quds and settled down there. He began the study of Hadith in early age. He made extensive journeys for this purpose and visited Syria, Egypt, Yemen, Iran etc. He spends some 30 years in the learning of Hadith and number of his teachers exceeds one thousand.

Among his different works his *al Mu'jam al kabir* in 12 volumes, is most famous, scholars call it encyclopaedia of Hadith which contains not only Ahadith of Muhammad Rasul-Allah ﷺ but a great deal of historical information as well. He died in 361 A.H.

APPENDIX II

THE LIST OF COMPANION NARRATORS

Ibn al Jawzi provides a list of all the Companions who related Ahadith, gives the names of about 1060 together with the number of Ahadith related by each. Five hundred of them are said to have related one Hadith apiece; a hundred and thirty two are stated to have handed down two Ahadith each, eighty have related three each, fifty two have related four Ahadith each, thirty two, five each, twenty six, six each, twenty seven, seven each, eighteen, eight each, and eleven, nine Ahadith each. Sixty Companions are credited with having related 10-20 Ahadith apiece, the remainder, listed in the table below, have all related twenty or more each.

	Name of Companion	Number of Ahadith
1.	Abu Shurayh al Kabi	20.
2.	‘Abd Allah Ibn Jarrad	20.
3.	Musawwir Ibn Makhrama	20.
4.	‘Amr Ibn Umayya al Damri	20.
5.	‘Amr Ibn Umayya	20.
6.	Safwan Ibn ‘Assal	20.
7.	Sa’d Ibn ‘Ubada	21.
8.	al Rabi‘	21.
9.	al Sa’ib	22.
10.	Qurra	22.
11.	‘Umayr Ibn Rabi‘a	22.
12.	Umm Qays	24.
13.	Laqit Ibn ‘Amir	24.
14.	al Sharid	24.
15.	Rifa‘a Ibn Rafi‘	24.
16.	‘Abd Allah Ibn Unays	24.
17.	Aws Ibn Aws	24.
18.	al Fadl Ibn ‘Abbas	24.
19.	Abu Waqid al Laythi	24.
20.	Abu Talha al Ansari	25.
21.	‘Abd Allah Ibn Salam	25.

22.	Sahl Ibn Abi Hasma (Haythama)	25.
23.	Abu al Mulayh al Hudhali	25.
24.	‘Abd Allah Ibn Ja‘far	25.
25.	Ya‘la Ibn Murra	26.
26.	Abu Humayd al Sa‘idi	26.
27.	Abu Malik al Ash‘ari	27.
28.	‘Abd Allah Ibn Buhayna	27.
29.	Abu Usayd al Sa‘idi	28.
30.	‘Utba Ibn ‘Abd	28.
31.	Ya‘la Ibn Umayya	28.
32.	‘Uthman Ibn Abu al ‘As	29.
33.	Umm al Fadl bint al Harith	30.
34.	Suhayb	30.
35.	‘Iyad Ibn Himar	30.
36.	Mu‘adh Ibn Anas	30.
37.	‘Irbad Ibn Sariya	31.
38.	Khubab Ibn al Aratt	32.
39.	‘Abd Allah Ibn al Zubayr	33.
40.	Fatima bint Qays	34.
41.	Ma‘qil Ibn Yasar	34.
42.	al Abbas Ibn ‘Abd al Muttalib	35.
43.	‘Amr Ibn ‘Abbas	38.
44.	Khuzayma Ibn Thabit	38.
45.	Talha Ibn ‘Abd Allah	38.
46.	al Zubayr Ibn al ‘Awwam	38.
47.	‘Amr Ibn al ‘As	39.
48.	Umm ‘Atiyya	40.
49.	Abu Tha‘laba al Khushani	40.
50.	Hakim Ibn Hizam	40.
51.	Sahl Ibn Hunayf	40.
52.	Mu‘awiya Ibn Hayda	42.
53.	al Miqdad	42.
54.	‘Abd Allah Ibn Mughfil	43.
55.	Jundab Ibn ‘Abd Allah	43.
56.	Bilal al Habashi	44.
57.	Abu Juhayfa	45.
58.	Umm Hani	46.
59.	Abu Barza	46.

60.	Ka'b Ibn Ujra	47.
61.	al Miqdam	47.
62.	'Abd Allah Ibn Zayd	48.
63.	Sa'id Ibn Zayd Ibn 'Amr	48.
64.	'Abd Allah Ibn Bishr	50.
65.	Shaddad Ibn Aws	50.
66.	Asma bint Abu Bakr	58.
67.	Asma bint 'Umays	60.
68.	Hafsa Umm al Mu'minin	60.
69.	Jubayr Ibn Mut'im	60.
70.	Salman al Farsi	60.
71.	'Amr Ibn 'Awf	62.
72.	'Ammar Ibn Yasir	62.
73.	'Abd al Rahman Ibn 'Awf	65.
74.	Umm Habiba Umm al Mu'minin	65.
75.	'Adi Ibn Hatim	66.
76.	Abu Rafi'	68.
77.	Zayd Ibn Arqam	70.
78.	Wa'il Ibn Hujr	71.
79.	Maymuna Umm al Mu'minin	76.
80.	Salama Ibn al Akwa	77.
81.	Rafi' Ibn Khudayi	78.
82.	Zayd Ibn Khalid	81.
83.	Zayd Ibn Thabit	92.
84.	'Abd Allah Ibn Abi Awfa	95.
85.	Jabir Ibn 'Abd Allah	100.
86.	Abu Mas'ud al Ansari	102.
87.	al Nu'man Ibn Bashir	144.
88.	Samura Ibn Jundub	123.
89.	Thawban	128.
90.	Usama Ibn Zayd	128.
91.	Abu Bakrah Nufay	132.
92.	al Mughira Ibn Shu'ba	136.
93.	Abu Bakr al Siddiq	142.
94.	Jabir Ibn Samura	146.
95.	'Uthman Ibn 'Affan	146.
96.	Abu Ayyub al Ansari	155.
97.	Mu'adh Ibn Jabal	157.

98.	Mu'awiya Ibn Abu Sufyan	163.
99.	Ubayy Ibn Ka'b	164.
100.	Burayda Ibn al Hasib	167.
101.	Abu Qatada	170.
102.	Abu al Darda	179.
103.	'Imran Ibn al Husayn	180.
104.	'Ubada Ibn al Samit	181.
105.	Sahl Ibn Sa'd	188.
106.	Ma'd Ibn Yaman	225.
107.	Abu Umama al Bahili	250.
108.	Sa'd Ibn Abi Waqqas	271.
109.	Abu Dharr al Ghafari	281.
110.	al Bara Ibn 'Azib	305.
111.	Abu Musa al Ash'ari	360.
112.	Umm Salama Umm al Mu'minin	378.
113.	'Aliyy Ibn Abi Talib	536.
114.	'Umar Ibn al Khattab	537.
115.	'Abd Allah Ibn 'Amr Ibn al 'As	700.
116.	'Abd Allah al Mas'ud	848.
117.	Abu Sa'id al Khudri	1170.
118.	Jabir Ibn 'Abd Allah	1540.
119.	'Abd Allah Ibn 'Abbas	1660.
120.	'A'isha Umm al Mu'minin	2210.
121.	Anas Ibn Malik	2286.
122.	'Abd Allah Ibn 'Umar	2630.
123.	Abu Hurairah	5374.

APPENDIX III

GRADING OF SCHOLARS

Ibn Hajar (773-852) one of the greatest Hadith scholars of the later period has placed the scholars in twelve grades.

Sahabah :The Companions of Nabiyy.

Thiqatun thabt'un :Those scholars who have been awarded the highest marks, such as *thiqatun thab'tun*, or *awthaqun-nas*, meaning the most truthful and accurate scholars.

Those who have been awarded good grades without being given superlative degree, such as *thiqatun* (trustworthy) *mutqinun* (accurate) etc.

Those whose position is less than grade three and have been awarded a good grade, such as *saduq* (truthful).

Those whose grading is lower than No. 4 and given a grade like *saduq yahim*. (truthful, but committing mistakes sometimes).

The one who transmitted a little knowledge, and there is no proof of his being unreliable, nor do we have any positive proof of his high accuracy, is called *maqbul* (acceptable). If his narration is verified by some other scholars; statements he would be named *layyin* (mild).

One who has more than one student who transmitted Ahadith from him, but scholars did not (*tauthiq*) declare him authentic is called *majhul al-hal* (meaning one whose integrity is not verified) in other words one whose reliability is externally evident, but about whose reliability nothing is known.

One who has not credit from any scholar on his behalf and some of the scholars have spoken against him, is called *da'if* (weak).

One who is not known in literary circles at all except through narration of a single scholar, and has not credit of scholars for him is called *majhul* (unknown).

One who has no certificate of credit at all from the scholars and they have spoken against him giving reasons for their statements, one who committed many mistakes or he was a *fasiq* did not meet the legal requirement of righteousness, or was stupid.

One, who was charged with or blamed for forgery, is called *muttahaam bil kadhhib*.

One who was named *kadhdhab* (liar) *wadda* (forgerer).

These grading were mostly followed by latter scholars. For every grade there are many terms that have been used by different scholars.

APPENDIX IV

CLASSIFICATION OF HADITH TEXTS

a) **Sahifa** : This is a collection of the sayings of Nabiyy ﷺ which were written down by one of his Companions during his lifetime or by their successors of the next generation. Several of these *Sahifas* are mentioned by Goldziher, according to whom some are also described as *Rasa'il* and *Kutub*. One such collection, which was assembled by Abu Hurairah and taught and handed down by him to his student Hammam Ibn Munabbih, has been edited by Dr Hamid Allah of Paris. The most important of them, however, is the *Sahifa* which was collected by 'Abd Allah Ibn 'Amr Ibn al 'As, (d.65/684), who gave it the title of *al Sahifa al Sadiqa*.

Ibn al 'As's *Sahifa* is said to have contained around a thousand Ahadith. Other *Sahifas*, too, were often large documents:

For instance, Humaid al Tawil, who borrowed and copied the books of Hasan al Basri, gives a very graphic description of a sizeable *Sahifa* that contained the latter's *'ilm*, by which is meant his collection of Hadith. He indicates that it was a roll as thick as a circle made by the joining of a man's thumb and forefinger, that is, about six inches thick. This was also the size of some of Zuhri's Hadith collection.

b) **Juz** : This is a collection of Ahadith handed down on the authority of one single individual, be he or she a Companion, or a member of any succeeding generation. The term *juz*' is also applied to collections of Ahadith that were compiled on a specific subject, such as intention, the vision of Allah, and so forth.

c) **Risala** : This is a collection of Ahadith which deals with one particular topic selected from the eight topics into which the contents of the *jami'* books of Hadith may generally be classified as:

- i. Belief.
- ii. Laws and rulings (*ahkam*), also known as *sunan*, which includes all the subjects of *fiqh*, from ritual purity (*tahara*) to legacies (*wasaya*).
- iii. *Riqaq*, that is, piety and asceticism.
- iv. Manners (*adab*) of eating, drinking, traveling, etc.
- v. Quranic commentary (*tafsir*).

- vi. *Tarikh* and *Siyar*; i.e. historical and biographical matters, which include(a) cosmology, ancient history etc. and (b) the life of Nabiyy ﷺ, and of his Companions and successors.
- vii. Seditions and crises (*fitan*) anticipated towards the end of the world.
- viii. The virtues (*manaqib*) and defects (*mathalib*) of various people, places etc.

A *Risalah* may also be known simply as a *kitab* (book). To this class belong many of the works of late authors such as Ibn Hajar, al Sayuti etc.

d) ***Musannaf*** :This is a more comprehensive collection of Ahadith in which the Ahadith relating to most or all of the above eight topics are assembled and arranged in various ‘books’ or ‘chapters’ each dealing with a particular topic to this class belong the *Muwatta’* of Imam Malik, the *Sahih* of Muslim, and similar works.

e) ***Musnad*** :This term, which literally means ‘supported’ was originally used for such Ahadith as were supported by a complete uninterrupted chain of authorities going back to the Nabiyy ﷺ via a Companion. Later however, the term came to be used in the more general sense of a reliable and authoritative Ahadith, being used in this sense as a title for all reliable works of the Hadith literature, so that works like the *Sunan* of Darimi and the *Sahih* of Bukhari are regularly called *Musnads*. More technically, however, it is reserved for those collections of Ahadith whose material is arranged according to the names of their original narrating authorities, irrespective of subject-matter. Such as the *Musnads* of Abu Dawud al Tayalisi (d.204/819), Ahmad Ibn Hanbal (d.233/847), ‘Abd Allah Ibn Abi Shayba (d.235/849), Abu Khaythama (d. 234/844) and a number of others. The *Musnad* works themselves, however, differ in the detailed arrangement of the authorities who originally related them. In some of them, their names are arranged in alphabetical order. In others, they are arranged according to their respective merit in the acceptance of Islam and in taking part in the early important events of the Nabiyy’s ﷺ mission. In still others, they are arranged according to the affinity of their tribe to the Rasul-Allah ﷺ .

There are, however, some *Musnad* works which are divided into chapters dedicated to particular subjects; in each such chapter the Ahadith being arranged according to the original Companions by whom they were narrated. This plan is followed by the *Musnad* authors Abu Ya’la (d. 276/889) and Abu ‘Abd al

Rahman. These works thus combined the characteristics of the *Musnad* and *Musannaf* genres.

It was the intention of some of the *Musnad* compilers to collect all the available Ahadith reported by the various Companions. The *Musnad* of Ibn al Najjar is said to have contained the Ahadith related by all the Companions, but this is no longer extant. The *Musnad* of Ibn Hanbal contains more than 30,000 Ahadith narrated by about 700 Companions. According to Haji Khalifa, who writes on the authority of Ibn Hazm, that the *Musnad* of Abu ‘Abd al Rahman contained Ahadith related by 1300 Companions. There are, however, many *Musnad* works which are devoted to Ahadith related either by a special group of Companions or by one Companion only.

f) **Mu‘jam** : This is generally applied to works on various subjects arranged in alphabetical order. The geographical and biographical dictionaries of *Yaqut* are known as *Mu‘jam al Buldan* and *Mu‘jam al Udaba* because they are arranged alphabetically. Such *Musnad* collection of Ahadith as are arranged alphabetically under the names of the Companions are also known as *Mu‘jam al Sahaba*. But according to the Hadith specialists, the term is used technically for collections of Hadith which are arranged not according to the Companions who reported them, but according to the *muhaddithun* from whom the compiler himself received them. The names of such *muhaddithun* (*shaykh*) are arranged alphabetically, and all the Ahadith received from each *shaykh* are then collected together irrespective of their contents and subject-matter. To this class belong two of the collections of al Tabarani (d. 360/970) and the collections of Ibrahim Ibn Ism‘il (d. 371/981) and Ibn Qani (d. 350/960). The largest collection by Tabarani is in reality a *Musnad* work, not a *Mu‘jam*, being *Mu‘jam al Sahaba*, not a *Mu‘jam al Shuyukh*.

g) **Jami‘** : This is a Hadith collection which contains Ahadith relating to all the eight topics listed above under the rubric of *Risalah*. Thus, the *Sahih* of al Bukhari, as well as the principal book of al Tirmidhi, is known as a *jami‘*. The *Sahih* of Muslim, by contrast, is not so styled, because although it is comprehensive in most areas, it does not contain Ahadith relating to all the chapters of the Qur’an.

h) **Sunan** : These are collections which only contain Ahadith *al ahkam* (legal-liturgical Ahadith), and omit material relating to historical, spiritual and other matters. Thus the Hadith collections made by Abu Dawud, al Nasa’ and many other *muhaddithun* falls into this class.

i) ***Mustadrak*** : This is a collection in which the compiler, having accepted the conditions laid down by a previous compiler, collects together such other Ahadith as fulfill those conditions and were missed by his predecessor. To this class belongs the *Mustadrak* of al Hakim al Nisaburi, who assembled a large number of Ahadith which fulfilled the stringent conditions laid down by Bukhari and Muslim, but were not included by them in their *Sahihs*.

j) ***Mustakhraj*** : This is a collection of Hadith in which a latter compiler collects fresh and additional *asnad* to add to those cited by an original compiler. To this class belongs the *Mustakhraj* of Abu Nu'aym al Isfahani on the *Sahih* of Bukhari and Muslim. In this book, Abu Nu'aym gives new *asnad* for some of the Ahadith included by Bukhari and Muslim, thereby reinforcing their authority still further.

k) ***Arba'iniyyat*** : As the name indicates, these are collections containing forty Ahadith related to one or more subjects which may have appeared to be of special interest to the compiler. The best known example is the forty Ahadith of al Nawawi.

Of all these eleven classes, the *sahifas* were the earliest in origin, while the *Mu'jams* the *Mustadraks*, the *Mustakhrajs* and the *Arba'iniyyat* must have been the latest to appear. The *Juz* and *Risalah* literature, in the technical sense outlined above, must also have evolved slightly later than the *Musannaf* and *Musnad* works. Since the *Sunan* and *jami'* types are in reality no more than subdivisions of the *Musannaf* works, the only chronological problem is that of the priority of the *Musnad* and *Musannaf* works. Addressing this difficulty, Goldziher is of the opinion that the *Musnads* are of earlier origin than the *Musannaf*, which originated under the influence of the legal system of the *ashab al Hadith*. Yet since the collection of Ahadith was substantially motivated by their legal importance, it seems not unlikely that some of the very earliest collections were arranged according to subject matter, as this related to the Islamic legal, ritual or religious problems as is also suggested by the title *Sunan* conventionally given to them.

APPENDIX V

THE HADITH AGAINST WRITING DOWN THE AHADITH

In *Taqyid al 'Ilm*, al Khatib al Baghdadi deals at full length with the subject of the recording of Ahadith and discusses whether or not it was allowed by Rasul-Allah ﷺ. The first part of the book is mainly concerned with the disapproval of writing, and the first chapter of this part mainly contains Ahadith from the Nabiyy ﷺ, transmitted by Abu Sa'id al Khudri, Abu Hurairah and Zaid Ibn Thabit, forbidding writing of anything except the Qur'an.

In this first part there are the Ahadith of Abu Sa'id al Khudri which had two different versions, one of them transmitted by 'Abd al Rahman Ibn Zaid. The authorities agree unanimously that he was a weak narrator and according to al Hakim and Abu Nu'aim he transmitted even false Ahadith, and in the words of Ibn Habbab, 'He used to reverse Ahadith, without knowing it, and put the full *asnad* for an interrupted (chain), so he deserved to be abandoned.' Therefore, the Ahadith, of 'Abd Sa'id al Khudri transmitted by 'Abd al Rahman Ibn Zaid is weak and unacceptable.

The same 'Abd al Rahman Ibn Zaid occurs in the Hadith of Abu Hurairah. Therefore, this Hadith is also weak and unacceptable.

The third Companion is Zaid Ibn Thabit. His Hadith is *Mursal*. The transmitter from Zaid is al Muttalib Ibn 'Abd Allah who did not learn from Zaid, therefore there is a link missing whose honesty is unknown. So this Hadith is also unacceptable. Furthermore, Hadith from Zaid has two versions. In one of them, his disapproval of the writing of Hadith is based on the order of the Nabiyy ﷺ, while in another statement is said that he disapproved of it because the written materials were his personal opinions. Therefore, this statement does not confirm his disapproval of the recording of the Ahadith of the Nabiyy ﷺ.

There is only one *sahih* Hadith (trustworthy), transmitted by Abu Sa'id al Khudri, in this matter which reads, 'Do not write from me anything except the Qur'an and whoever has written anything from me other than the Qur'an should erase it'. This Hadith, which is transmitted by Abu Sa'id al Khudri on the authority of the Nabiyy ﷺ is disputed among scholars. According to al Bukhari and others, it is the statement of Abu Sa'id himself, that is erroneously attributed to the Nabiyy ﷺ, and it actually meant that nothing should be written with the Qur'an on the same sheet as this might lead someone to conclude erroneously that

sentence or words written in the margin or between lines belonged to the Qur'an. It should be remembered that this command was given when the Qur'an was being revealed and the text itself was incomplete. Otherwise there does not appear to be any sound reason to forbid the writing of Hadith.

The Nabiyy ﷺ himself sent hundreds of letters. Many of them were lengthy, containing the formulae for forms and rituals of worship. According to the Qur'an his conduct and deeds should be followed by the community. The Qur'an itself demands a record of financial transactions. Therefore, it looks as if there were no general instructions not to record the Ahadith, though it might have been understood by some of the scholars in this way. On the other hand there is clear evidence to show that the Nabiyy ﷺ approved of recording the Ahadith. Furthermore, we find that quite a number of Companions recorded Ahadith and among them were also those people who transmitted Ahadith which forbade its recording. Bearing all this in mind one arrives at the conclusion that the Nabiyy's ﷺ disapproval of writing down Ahadith most probably meant the writing of the Qur'an and non-Quranic material on the same sheet because that might have led to misunderstanding.

There is another theory that it was forbidden to write down Ahadith in early days because all attention should be paid to the Qur'an and its preservation, and later on, when there was no danger of neglecting the Qur'an, the previous order was abrogated and people were permitted to write down Ahadith.

Misinterpretation of the statements of early scholars

There have been many scholars who wrote down Ahadith, and sometimes disliked doing so, giving reasons for their attitudes which were not based on the Nabiyy's ﷺ teachings. In many cases, the reasons were omitted, or even when the statements were given in full they were interpreted as against writing without any serious consideration.

Some examples:

1. It is reported that Ibrahim al Nakha'i was against writing. The reason he gave for disapproval was the 'whoever writes becomes dependent on it.' According to the conception of some early scholars, books were bad stores of knowledge, and the best store was one which is kept in memory which could be used anywhere and at any time. One of the Bedouin said: a word in your memory is better than ten in your book.
2. The name of Amir al Sha'bi has been given in the lists of those against writing. If one reads his statement carefully one must reach the conclusion that al Sha'bi was not against writing. We have two of his statements on the

subject. In one of them he says, 'I neither wrote with black on white nor did I ask any man to repeat a Hadith twice to me'. The purpose of this statement is to show his great power of memory so that he never needed to ask anyone to repeat a Hadith and to hear it only once was sufficient for him to memorize it. The statement has no connection with the subject of the recording of Hadith. In another statement he advises his students to write down everything they hear from him, if they did not have paper they were even asked to write on walls.

No doubt there were some scholars who disliked the writing down of Hadith at one time or another for reasons which were not based on any religious authority.

The most famous scholar during the late first and early second century A.H was Zuhri, who had written down almost everything which he, had heard from his teachers. But when he began to teach he did not agree to dictate the Ahadith, till pressure was exerted on him through the *khalifa* Hisham. Why was it so? To understand the reason thoroughly we need to see it through his statement as well as of Malik Ibn Anas who was the student of Zuhri. One of the students of Imam Malik read *al Muwatta* to him in forty days, upon which Malik said: The knowledge which I have collected in forty years you are gaining in forty days. How little can you understand it! Perhaps he wanted to say; how little can you appreciate it. Once al Sha'bi transmitted a Hadith, then said to the student that you are really getting it for nothing, otherwise even for less, one had to make a journey from Iraq to al Madinah. Actually it was the general attitude of that time that teachers could hardly be brought to speak. The student had to accompany them and when their teachers spoke, they wrote it down or memorized it. Zuhri says: 'People used to sit with Ibn 'Umar but none dared call upon him till someone (from outside) came and asked him. We sat with Ibn al Musayyib without questioning him, till someone came and questioned him, the question roused him to impart Hadith to us, or he began to impart of his own will; therefore, although al Zuhri wrote down Hadith for his own use, he was not in favour of making them public. One who wants to learn must strive, and the student should not be given any ready made knowledge in the shape of a book or dictation.

Summing up the argument regarding the reasons for disliking recording, there is no evidence that the interdiction of writing was based on the order of the Nabiyy. It was based at one time or another on personal preference. Nevertheless the same scholars committed Ahadith to writing. The recent research has proved that almost all the Hadith of the Nabiyy ﷺ was written down in the life of Companions, which stretched to the end of the first century.

APPENDIX VI

IBN TAIMIYYAH'S MAJMU'AT AL FATAWA 35 VOLUMES
MAKTABA AL 'ABIKAN, SA'UDI 'ARABIA, 1997.

Volume Number	Total Pages	Title	Ahadith quoted by Imam Ibn Taimiyyah in his MF
1	267	<i>Kitab Tawhid al Uluhiyah</i>	405
2	306	<i>Kitab Tawhid al Rububiyah</i>	188
3	272	<i>Kitab Mujammal I'tiqad al salaf</i>	207
4	342	<i>Kitab Mufasssal al I'tiqad</i>	391
5	352	<i>Kitab al Asma wal Sifat I</i>	272
6	366	<i>Kitab al Asma wal Sifat II</i>	274
7	428	<i>Kitab al Iman</i>	595
8	335	<i>Kitab al Qadar</i>	279
9	186	<i>Kitab al Mantiq</i>	51
10	438	<i>Kitab 'Ilm al Saluk</i>	603
11	395	<i>Kitab al Tasawuf</i>	451
12	331	<i>Kitab Al Qur'an Kalam Allah Haqiqah</i>	170
13	238	<i>Kitab al Muqadama al Tafsir</i>	134
14	288	<i>Kitab al Tafsir part I Surah al Fatihah to al A'raf</i>	208
15	270	<i>Kitab al Tafsir part II Surah al A'raf to al Zumar</i>	256
16	342	<i>Kitab al Tafsir part III Surah al Zumar to al Ikhlas</i>	268
17	298	<i>Kitab al Tafsir part IV Surah al Ikhlas to Ma'udhatain</i>	249
18	228	<i>Kitab al Hadith</i>	328
19	174	<i>Kitab Asul al Fiqh I al Itba'</i>	145
20	327	<i>Kitab Asul al Fiqh II al Tamazhab</i>	304
21	368	<i>Kitab al Fiqh I al Taharah</i>	579
22	370	<i>Kitab al Fiqh II al Salah</i>	888
23	240	<i>Kitab al Fiqh III Sajud Sahaw to Salah ahl al I'dhar</i>	522

24	219	<i>Kitab al Fiqh IV ahl al I'dhar to al Zakah</i>	397
25	184	<i>Kitab al Fiqh V al Zakah to al Sawm</i>	307
26	172	<i>Kitab al Fiqh VI al Hajj</i>	262
27	276	<i>Kitab al Fiqh VII al Ziyarah</i>	372
28	372	<i>Kitab al Fiqh VIII al Jihad</i>	526
29	320	<i>Kitab al Fiqh IX al Bai'</i>	369
30	226	<i>Kitab al Sulah to al Waqf</i>	133
31	238	<i>Kitab al Waqf to al Nikah</i>	155
32	238	<i>Kitab al Nikah</i>	271
33	147	<i>Kitab al Talaq</i>	123
34	170	<i>Kitab al Zihar to Qital ahl al Baghi</i>	167
35	262	<i>Kitab ahl al Baghi to Nihayah al Iqrar</i>	309
Total Volumes	Total Pages		Total Ahadith quoted
35	9985		11158

APPENDIX VII

LIST OF IBN TAIMIYYAH'S BOOKS, PAMPHLETS AND LETTERS

Books and pamphlets about 'Ilm tafsir:

1. *Muqadamah fi Asul al Tafsir.*
2. *Fada'il al Qur'an.*
3. *Iqsam al Qur'an.*
4. *Imthal al Qur'an.*
5. *Qa'idah fi takhrib al Qur'an wa ma Yata'liq bi dhalik wa ma ward fi dhalik min al Athar.*
6. *Jawab ahl al 'Ilm wal Iman fi an qul Huwa Allah ahad ta'dil thulth al Qur'an.*
7. *al Batiyan fi nazul al Qur'an.*
8. *Qa'idah fi al Isti'adhah.*
9. *Qa'idah fi al bismillah wal kalam 'ala al Jahriha.*
10. *Qa'idah fi al Fatihah wa fi al Asma' al lati Fiha.*
11. *Qa'idah fi Iyyak Na'budu wa Iyyak Nasta'in.*
12. *Qa'idah fi Tafsir awwal al Baqarah.*
13. *Tafsir Qawluhu ta'la wa min al nas man yaqul Amanna bil Allah wa bil Yaumi' al Akhir.*
14. *Risalah fi tafsir Qawlihi ta'ala mithlahum kamithal al ladhi Istawqad nara.*
15. _____ *Ya 'Ayuha al nas 'Abidu Rabbakum.*
16. _____ *Illa man safihah nafsahu.*
17. _____ *wa man haithu kharajta fawali wajhik shatra al masjid al haram.*
18. _____ *Faman Idtara ghair baghin wala 'Adin.*
19. _____ *Faman tamatta' bil 'Umrah Illal Hajj.*
20. _____ *Wal walidatu yurd'ina Awladahunn.*
21. _____ *Ayat al Kursi.*
22. _____ *Ayat al Riba.*
23. _____ *Wama ya'lamu tawiluhu Illa Allah.*
24. _____ *Fihi Ayah muhakamat.*
25. _____ *Shahidal Allahu annhu la Illaha Illa huwa.*
26. _____ *Afaghaira Din Allah yabghuna.*
27. _____ *Wakayin min Nabiyy Qatala ma'hu rabbiyun kathin*

28. _____ *Ma asabak min hasanata fi min Allah.*
29. _____ *Wa Idha hayyaytum bitahiyah.*
30. _____ *Wa man yaqtul muminan muta'midan.*
31. _____ *Yaayyuhaalladhina Amanu idha qumtum illa Salah.*
32. _____ *Falami jana 'Aliahi lial.*
33. _____ *Inni la Uhibu al Aqfilin.*
34. _____ *Wa kaifa Akhafu ma Ashraktum.*
35. _____ *La tudrikhu al absar.*
36. _____ *Linukhrijanak ya Shu'ab.*
37. _____ *Wakhtaru Musa qaumahu.*
38. _____ *Wa Idha Akhadha Rabika min bani adam.*
39. _____ *Ya ayyuhal Nabiyy hasbuk Allah.*
40. _____ *Wa in ahad min al mushrikin Istijarka.*
41. _____ *Innama al Sadaqat lilfuqra.*
42. _____ *Wama kana al mu'minin liyanfiru kafah.*
43. _____ *Afaman kana 'ala bainah min Rabbhi wa yatluhu shahid minhu.*
44. _____ *khalidin fiha ma damat al Samawat wal ard.*
45. _____ *Wala yazaluna mukhtalifin illa man rahima.*
46. _____ *Qul hadhihi sabili.*
47. _____ *Hata Idha Istais al Rusl.*
48. _____ *Afaman ya 'lamu Innama anzala iliaka.*
49. _____ *Walaqad atainaka sab' min al mathani.*
50. _____ *Inna fi dhalika liayat liqawmi yatafakarun.*
51. _____ *Darb Allahu mathala 'abdan mamluka.*
52. _____ *Walaqad na 'lamu annahum yaquluna.*
53. _____ *la illaha illa anta subhanaka.*
54. _____ *Innakum wama ta'baduna min dun Allah.*
55. _____ *Wama arsalna min qabluka min Rasul wala Nabiyy.*
56. _____ *Wama 'Aqiba bimithal ma 'uqib bihi.*
57. _____ *al Zani la yankihu Illa zaniyah.*
58. _____ *Qul lil mu'minin yaghdu min absarhum.*
59. _____ *Innama Utitahu 'ala Ilm.*
60. _____ *tilka al daral akhirah naj'alha.*
61. _____ *Alif lam mim ahasib al nas.*
62. _____ *Innas Salah tanha 'anil fahshai' wal munkar.*
63. _____ *Wala tujadilu ahl al kitab illa.*
64. _____ *Inna al shirka lazulm 'azim.*
65. _____ *Waja'alna minhum 'amat yahdun.*

66. _____ *Yaayyuhaalladhina amanu udhkuru na'imat Allah.*
67. _____ *La tasa' luna 'amma ajramna.*
68. _____ *Thuma awrathna al kitab aladhina.*
69. _____ *Rafi' al darjat.*
70. _____ *Laisa kamithlahi shai'un.*
71. _____ *Walaqad akhtarnahum 'ala Ilm.*
72. _____ *Wama khalaqtu al jinn wal Ins illa liya'budun.*
73. _____ *Laisa lil insan illa ma sa'a.*
74. _____ *Falaw la Idha balaghat al halqum.*
75. _____ *Ma yakun mim najwa thala thata.*
76. _____ *Yaayyuhaaladhina amanu Idha ja' kum al-mu'minat muhajirat.*
77. _____ *Tafsir surah al Ma'idah.*
78. _____ *Yusuf.*
79. _____ *al Qalam.*
80. _____ *al Fajr.*
81. _____ *al Balad*
82. _____ *al Shams.*
83. _____ *al Lail.*
84. _____ *al 'Alaq.*
85. _____ *al Tin.*
86. _____ *al Bainat.*
87. _____ *al Kauthar.*
88. _____ *al Kafirun.*
89. _____ *al Masad.*
90. _____ *al Ikhlas.*
91. _____ *al Mau'dhatain.*

Books on Ahadith:

92. _____ *al Kalim al taib min adhkari al Nabiyy.*
93. _____ *Arba'un Haditha.*
94. _____ *al mua'at al muntaqat min sahih al Bukhari.*
95. _____ *Shrah hadith Abi Dhar.*
96. _____ *Innama al 'amal bil niyyat.*
97. _____ *Bid'al Islam ghariban.*
98. _____ *La Urath al mu'min al kafir.*
99. _____ *al du' al ladhi 'alamhu al Nabiyy li Abi Bakr.*
100. _____ *La yazni al zani hina yazeni.*
101. _____ *Jibril fil 'Iman wal Islam.*

102. _____ *Anzal al Qur'an 'ala sab'at ahraf.*
103. _____ *Nazul al Rabb ta'ala kul lialat ila al sama'al Duniyah.*
104. _____ *Hakim Ibn Hazam aslamtu 'ala aslaft min khair.*
105. _____ *Ibn Mas'ud fi dara bihim.*
106. _____ *Mu'adh Ibn Jabal la tad 'an dubr kulu salah.*
107. _____ *Bariarah.*
108. _____ *Sataftarq Ummati 'ala thalath wa sab'in firqah.*
109. _____ *Man Qala anna khairu min yunus Ibn Matta.*
110. _____ *Umirtu an Ukhatib al nas 'ala Qadri 'aqullim.*
111. _____ *Imran Ibn Husain Ji'na Nasuluka 'an awwala hadhalamr al hadith.*
112. _____ *Ma rawa'an 'Umer annhu Qala na'm al 'abd.*
113. _____ *la Tasabi al dahar.*
114. _____ *Qawl 'Aliyy la yarja'un 'abd illa Rabbahu wala yakhafuna Illa dhanbihi.*
115. _____ *Jawab 'an jimlat ahadith da'rat 'ala illa li Sunnah.*
116. _____ *Dhikir ahadith yahtiju biha ba'da al fuqha' wahia batilah.*
117. _____ *al kalam 'ala ahadith al Qisas.*
118. _____ *Ma'ni hadith asfazu bilfajr faanahu a'zam lilajar.*
119. _____ *Ma'ni Qawli al Nabiyy afdal al 'amal al salah liwaqtiha.*
120. _____ *Qawla al Nabiyy lan yadkhul ahda minkum al janah li'amlihi.*
121. _____ *Wamas'lat Ukhra 'ala kitab al masabi h.*
122. _____ *Ijazat liahli asbahan.*
123. _____ *Ijazat liahli Gharnata.*
124. _____ *Sabtat dhikir fiha masmu'at.*
125. _____ *liba'ad ahli tabriz.*
126. _____ *Qai'dah fi Qallahu Istahlaltum farujahuna bikalimat Allah.*
127. _____ *Risalat fi Qallahu kama salaita 'ala Ibrahim wafi.*

Books on fiqh:

128. _____ *Majmu 'at al fatawa.*
129. _____ *Mukhtasar al fatawa almisriyah.*
130. _____ *al Ikhtiyarat al 'Ilmiyah min Ikhtiyarat Shaik al Islam.*
131. _____ *al Qawa'id al faqihiyat al nuraniyah.*
132. _____ *al risalat al Maridaniyah.*
133. _____ *al masa'il al mardaniyat.*
134. _____ *sharah al 'Umdah.*
135. _____ *al harar.*

136. *al Siyasa al Shariyah fi Islah al rai' wal ra't.*
137. *Qai'dah fi taharah ma yukal lahmwa rwathahu.*
138. *_____ Nawaqid' al wudu.*
139. *_____ 'Adm naqd al wudu bilamsi al nisa'.*
140. *_____ fima yashtart lahu al taharah.*
141. *_____ fi al Masah 'ala al Khufian.*
142. *_____ fi ghsli al rijlain.*
143. *_____ fi hadith Qullatain wa 'adma rafa'hu.*
144. *_____ fi dhm al waswas.*
145. *_____ fil Iqra hal hai al haid aw al Ithar wakhtar innaha al haid.*
146. *_____ Wa Ajubat fil minyat fil salah wagh dhalik min al 'Ibadat.*
147. *_____ fi mawqit al salah.*
148. *_____ fi al Jama' bain al salatain.*
149. *_____ fima yakhtalifu hukmihi bilsafar wal hadar.*
150. *_____ fi ahkami al safar.*
151. *_____ fil Jahar bil bismilah.*
152. *_____ fil qira'at khalf al Imam.*
153. *_____ fit tark al tamaniyat filsalat.*
154. *_____ fi Istiftahat filsalah.*
155. *_____ fi mwadi 'al 'aymah fi majama al Ummah wa hia ama kun al ta'at.*
156. *_____ fil raka'tain tasla qabla al jum'ah.*
157. *_____ fil juma'at hal yashtarat laha al Istaitan?*
158. *_____ fil salah baina al adhanain youm al jum'at.*
159. *_____ Wa Ajubat filnajum hal laha Tathir.*
160. *_____ Muftirat al Sai'm.*
161. *_____ fi Zakah Mal al Sabi .*
162. *_____ Jawab finas raniyah matat wa fi batniha walad muslim.*
163. *_____ Halq al ras hal yajuz ghair 'udhr.*
164. *_____ fi fadl 'Ashra dhi al hajj.*
165. *_____ fi wajub al tasmiyah 'ala al dhabahi wal said.*
166. *_____ fil anabadha wal maskarat.*
167. *_____ fi la'b al Shatranj.*
168. *_____ fil sakr wa Asbabah wa ahkamahu.*
169. *_____ fil naha 'an ayar al nasara.*
170. *_____ fil jahad waltarghib fihi.*
171. *_____ fi Qital al Kufar.*
172. *_____ fi mu'hadah al Kufar al Muttaqah wal muqidah.*

173. _____ *fil 'aqud al azimat walja'izah.*
174. _____ *fil waqf wa sharut al waqif.*
175. _____ *fi ard al mawat Idha ahyaha thuma 'adat bal tahluk Ukhra.*
176. _____ *fi ta'liq al 'aqud wal fasuq bilsharut.*
177. _____ *fi sabaq al khail wa rama al nishab.*
178. _____ *fil lilghalibat wama yahil min al rahn.*
179. _____ *al hasiyat fil Islam.*
180. _____ *fi rabi 'al maghrur 'ala man gharahu.*
181. _____ *faqiyat fi masa'il min al nadhr wal Iman wa nikah al shighar.*
182. _____ *fi masa'il min al nadhr wal daman.*
183. _____ *fi muqdar al kafarah wal yamin.*
184. _____ *fi turath dhu al ahram.*
185. _____ *fima yahilu wa yahrimu min al nasb walsihr wal rada'.*
186. _____ *fil jar hal yajbir al bkr 'ala al nikah wa fi Ista'dhan min al abb hal yajb.*
187. _____ *fil kalam 'ala al 'adad.*
188. _____ *fi an al mutlaqat bithalathin la tahilu illa bi nikah zawj thani.*
189. _____ *fi hadnah al wald.*
190. _____ *wa Ajubat fi tahrir al sama.*
191. _____ *fi tahrir al Shababah.*
192. _____ *fil m'at Idha waq'at fiha najasah aw matat.*
193. _____ *Karahiyat al talafuz bil niyat a tahrir al jahar biha.*
194. _____ *Risalat fi tarikal salat wa tafsir al qawl fihi.*
195. _____ *tanwa 'al 'Ibadat.*
196. _____ *fi Ziyarat al quds youma 'arfat li ta'rif.*
197. _____ *Ziyarat bait al muqdas.*
198. _____ *Jabal libnan kamith Allahu min al jibal lais fihi rijal al ghaib wala abdal.*
199. _____ *fi dhba'h ahl al kitab.*
200. _____ *fi bayan Iqamat ahad 'ala man tarka al salah.*
201. _____ *fi hukm hamam al nisa'.*
202. _____ *al mazalim al mushtarka wa ahkamiha.*
203. _____ *man awqa'al 'aqud al muharmat thuma tab anha.*
204. _____ *fi hurmati nikah al Zaniyah.*
205. _____ *fi abtal al kimiyah wa tahrimiha.*
206. _____ *al fatah 'ala al mam fisalah.*
207. _____ *Jawab fisalat raka 'tain jalisa ba'd al witr.*
208. _____ *al qanut fisubh wal'witr.*

- 209. *Jawab 'an ahl al bida' hal yasli khalfahum.*
- 210. *al 'Ibadat al Shari'ah walfarq bainahuma wa bain al bid'yah.*
- 211. *Tahrim dakhul al nisa bila 'udhr filhaman wal Ightisal.*
- 212. *Baiyan al huda min al dalal fi amral hilal.*
- 213. *Maslat fi min nutq bi shahadatain.*
- 214. *_____fi rujat al hilal.*
- 215. *twafal hai'd waljunb wal muhadath.*
- 216. *Mas'lat fi bay' al mu'lim fihi qabla qabdhu hal yajuz.*
- 217. *Tahqiq al furqan bain al tatliq wal Imam.*
- 218. *al farq al mubin bain al talaq wal yamin.*
- 219. *al Ijtima' wal Ifтираq filhalf bitalaq.*
- 220. *al talaq al bidai'.*
- 221. *Jami' Iman al muslimin mukafirah.*
- 222. *Jawab fil makhluqat min ma al zani hal lahu an yatzawaj biha.*
- 223. *Jawab masa'il wardat minsulat.*
- 224. *Jawab fil tasmiyat 'ala al wudu.*
- 225. *fi tahrim al hashisha.*

Books on jurisprudence:

- 226. *Qai'dat kabirah fi asul al fiqh ghalibha naql aqwal al fuqha.'*
- 227. *_____fil Ijtihad waltaqlid.*
- 228. *_____fima shara 'Allah baqit al 'amum walatlaq wa hal yakin mashru'.*
- 229. *_____fi shamul al nasus lilahkam.*
- 230. *_____fi taqlid madhhab mu'in hal yajib 'ala al'ami am la.*
- 231. *_____fil mukhti fil ijti had hal yathim.*
- 232. *_____fil tafdil madhhab Ahmad wa dhkr muhazinahu.*
- 233. *_____fi tafdil madhhab ahl al Madinah wa tasma al malikiyah.*
- 234. *_____fima yazun min tar'd al nass wal Ijma'.*
- 235. *_____fil Ijma' wa anahu lahu thalathat Iqsam'.*
- 236. *_____kifiyat al Istidlal 'ala al ahkam bil nass wal Ijma'.*
- 237. *_____fil lafz al haqiqat wal majaz walbahas ma' amada.*
- 238. *_____kabirah fi an jins fa'l almamur bihi afdal min jins tark al minhi anhu.*
- 239. *_____Jalilah fi waja b al 'aytisam bil risalah.*
- 240. *Masrurah fi asul fiqh.*
- 241. *Jawab fi tarka al taqlid fiman yaqul madhhabi madhhab al Nabiyy.*
- 242. *Risalat fi fadai'l al aima al arba't.*

243. _____ *hal kan al Nabiyy qabla al wahy mut'abd bishar 'min qabl.*
244. _____ *Itba'al Rasul bisahih al 'aql.*
245. _____ *fil kalami 'ala rafa' al Imam al Hanafi yadaihi fil salah.*
246. _____ *Muwakhidha hu 'ala Ibn Hazm fil Ijma'.*
247. _____ *Jawab fil Ijma' wal khabar al tawatur.*
248. _____ *taqlid al hanafi al shafi'i fil matr wal watr.*
249. _____ *Mu'anj alwasul fi an al asul wal faru'qad bainaha al Rasul.*
250. _____ *Rafa' al kalam 'an al'aimat al'allam.*

Books on faith and kalam:

251. _____ *'Aqidah al Hamwiyah al kubra.*
252. _____ *Jawab al a'ytiradat al misriyah 'ala al fatya al hamwiyah.*
253. _____ *al hamwiyah al sughra.*
254. _____ *Ta'rad al aql wal naql.*
255. _____ *Kitab fi mahnathi bimisr.*
256. _____ *Madhhab al salf al qawim fi tahqiq mas'alt kalam Allah al Karim.*
257. _____ *al Kilaniyah.*
258. _____ *al Baghdadiyah.*
259. _____ *al Qadiriyyah.*
260. _____ *al Azhariyyah.*
261. _____ *al Misriyyah.*
262. _____ *al Ba'likiyyah.*
263. _____ *Jawab mas'alt al Qur'an hal huwa harf wa sawt am la.*
264. _____ *Mas'alt fi dalal man yaqul an lam yaklamu musabal kan khalqa fi shajarat.*
265. _____ *fil Qur'an hal kan harf wa sawt.*
266. _____ *fi Sifat Allah wa 'Alw khalqhu bain al nafi wal Ithbat.*
267. _____ *al 'aql wal ruh.*
268. _____ *Hal yu'dhib al jasd ma' al ruh fil qaber.*
269. _____ *fil muqrabin hal yasa'lahum munkir wa nakir.*
270. _____ *Risalat fil Qur'an wama waqa' fihi min al nizar.*
271. _____ *fi haqiqat al kalam al Illahi.*
272. _____ *fi 'Aqidah al ash'riyyah wa aqidah al Mataridiyyah.*
273. _____ *fil Ihtijah al jahimiyah wal Nasara bil kalimat.*
274. _____ *fi Asul al Din lil 'aduwiyyah.*
275. _____ *fi asul al Din li ahli jilan.*
276. _____ *li ahli Qabras.*

277. _____ *fil farq bain ma yatawal wama la yatawal min al nasus.*
278. _____ *al Iradah wal amar.*
279. _____ *Maratab al Iradah.*
280. _____ *al Qada wal mar.*
281. _____ *al Ihtijaj bil Qadar.*
282. _____ *Amr wa nahi wa Qada wa Qadar.*
283. _____ *fil 'adam wa Istit'at.*
284. _____ *fil qadriyat wa innahum 'ala thala thata Iqsam.*
285. _____ *fil rad 'ala mudi' al jabr 'ala lisah al ash 'rayat.*
286. _____ *'Arsh al Rahman.*
287. _____ *fil 'arsh al 'alam.*
288. _____ *fil mubaniyah bain Allah wa Khalqahu.*
289. _____ *fil astawa' wal abtal.*
290. _____ *fi qurb al Rabb min 'Abi diyah wa da'iyah.*
291. _____ *'Ila ahl tabristan wa Halan.*
292. _____ *fil 'Iman hal yazidu wa yanqisu.*
293. _____ *fi haq Allah wa haq Rasulihi wa haquq 'Ibadahu.*
294. _____ *fil shahada tain wama yatba' dhalika.*
295. _____ *fil fadal 'Ilm al salaf 'ala al khalaf fil 'Ilm.*
296. _____ *an mubd' al 'Ilm lianaha 'end al Nabiyy.*
297. _____ *Inkar 'Ismat al Anbiya' hal hia min al saghair wa hal yakfur.*
298. _____ *fi an Isma'il huwa al dhabi .*
299. _____ *Hal kan al Nabiyy qabla al risalat nabwiyah wahal yasmi min sah bihi Idh dhalika sahabiyah.*
300. _____ *fi al shifa't al Shari'yat wal tawsul Illa Allah bil 'amal walashkhas.*
301. _____ *fi Ithbat wujud al nafas ba'd al maut.*
302. _____ *fi 'ard al adiyah 'end al maut.*
303. _____ *fi an kul hamd wa dham lil maqalat wal af'al.*
304. _____ *Qay'idat nafi'at fi sifat al kalam.*
305. _____ *fil Qur'an wa kalam Allah.*
306. _____ *fi baiyah tariqah al Qur'an fil da'wat wal hidayah.*
307. _____ *fil Iman al maqrun bil Ihsan wa fil Ihsan al maqrun bilIslam.*
308. _____ *fil Iman wal tawhid wa bayah dalal man dola fi hadha al asal.*
309. _____ *fil Iman wal tawhid yashtamil 'ala masalih al duniyah walakhirah.*
310. _____ *fi Iqtirah al Iman bil ahtisab.*
311. _____ *fi an mukhalifat al Rasul la takuna Illa 'an zan wa Itba' hawa.*

312. _____ *fil sunnah wal bid'ah ah wa fi kan kulu bid'ah dalAllah.*
313. _____ *fi raju' al bid'ah Illa shu'bah min shu'b al kufr.*
314. _____ *fi shamul Ill al kitab wal Sunnah wal Ijma'.*
315. _____ *Jalilat fil tawsul wal wasilah.*
316. _____ *fima yat'laq bil wasilah bil Nabiyy wal qiyam bil haquq alwajibah 'ala umatihi.*
317. _____ *fi baq'al janah walnar wa fi fanaihuma 'ala Mawlana Taqiyy al Din Subki.*
318. _____ *fi Ithbat al ru'yah wal rad 'ala nafataha.*
319. _____ *sharah al 'aqidah al Asfaniyah.*
320. _____ *Awwal mahsal lil Razi.*
321. _____ *bida'ah ashra mas'Allah minalarba'in lil Razi.*
322. _____ *awal kitab al Ghaznawi.*
323. _____ *al Tadmurriyyah.*
324. _____ *al Harfiyah.*
325. _____ *Tanasi al shada'id fi Ikhtilaf al 'aqa'id.*
326. _____ *al Furqan bayn al haqq wal batlan.*
327. _____ *Itiqad al firqah al najiyah al mansurah Illa qiyam al sa'h ahl al Sunnah wal jam'at.*
328. _____ *al Munazirah fil 'aqidahal wastiyah.*
329. _____ *Bayan Tilbis al jahimiyah fi tasis bid'hum al kalamiyah.*
330. _____ *Kitab al Istiqamah.*
331. _____ *Minhaj al sunnah al nabwiyah.*
332. _____ *al rad 'ala kisrawan al rafidah.*
333. _____ *al Jawab al Sahih liman badala din al Masih.*
334. _____ *al Iklil fil mutshabih wal tawil.*
335. _____ *Fawa'id sharifah fil af'al al Iktiyariyah.*
336. _____ *Taqdir al qadr wahuwa manzumah fil qadr.*
337. _____ *Jawab fi ta'lil af'al.*
338. _____ *Kitab al kalam 'ala Iradah al Rabb wa qudratihi.*
339. _____ *al Marakashiyah.*
340. _____ *Jawab al sawal 'an al 'arsh.*
341. _____ *Ithbat al sifat wal 'ala wal Istawa.*
342. _____ *al halbiyah fil sifat wahal hia za'idah 'ala al dhat am la.*
343. _____ *kitab al Iman.*
344. _____ *al Sarimal maslul 'ala Shatim, al Rasul.*
345. _____ *Ihabit al Nubuwwah 'aqlan wa naqlan.*
346. _____ *Iqtida' al sirat al mustaqim fial rad 'ala ashab aljahim.*

- 347. *Kitab al rad 'ala al bakri.*
- 348. *Ziyarah al qabur.*
- 349. *al dar al manthur fi ziyarah al qabur.*
- 350. *Kitab al rad 'ala akhnai.*
- 351. *al Jawab al bahir fi zawar al maqabir.*
- 352. *al wasitah bayn al khalq wal haqq.*
- 353. *al Ishtighasa.*
- 354. *Musanaf fi fana' al nar wa abdiyathu.*
- 355. *Jawab fi ruyah al nisa' Rabbahuna fil janah.*
- 356. *fi Risalat al Nabiyy illa al Ins wal jinn.*
- 357. *Risalat Ibn 'Idd.*

Books on ethics and sufism:

- 358. *Qa'idah fil tawhid wal Ikhlas.*
- 359. _____ *fil Ikhlas wal tawwakal.*
- 360. _____ *fil Ikhlas wa taqdirahu bil'aql.*
- 361. _____ *fil al Shayukh al Ahmadiyah wama yuzhirunahu minal Isharah al shaitaniyah.*
- 362. _____ *fil mahbat Allah lil'abd wa mahbat al'abd lil Allah.*
- 363. _____ *fil khulwat wal farq bayn al khulwat al shari'at walbid 'yah.*
- 364. _____ *fil sabr walshukr.*
- 365. _____ *tata'laq bilsabr al mahmud wal madhmum.*
- 366. _____ *fil shukar Allah wa anahu yata'laq bil af'al al Iktiyarah.*
- 367. _____ *fil sirat al mustaqim fil zuhd wal wara'.*
- 368. _____ *fil 'Ilm wal hulm.*
- 369. _____ *fi tazkiyat al nafus.*
- 370. _____ *fi ann Allah khalaqa al khalaq li 'Ibadatihi.*
- 371. _____ *fil tasbih wal tahmid wal tahlil.*
- 372. _____ *fil safah al jamil wal hajar al jamil wal sabr al jamil.*
- 373. _____ *fi amrad al qalub wa shifa'ha.*
- 374. _____ *fil ghadi al basar wa hifz al farj.*
- 375. _____ *fil 'ain walqalb wa ahwAllahu.*
- 376. _____ *fil Ihsan.*
- 377. _____ *fil Ishtighfarwa sharhu a Israrahu.*
- 378. _____ *fil tathir al 'Ibadat al nafs minal fawahish wal munkirat.*
- 379. _____ *fil Ikhtisas minal zalim bid du'a.*
- 380. _____ *fil sharah asma' Allah al-husna.*
- 381. _____ *fil an jami' al hasnat al 'adl wal sai'at.*

382. _____ *fil tafsil salih al nas 'ala sa'ir al ajnas.*
383. _____ *fil mafad Allah bayn al Ghani al Shakir walfaqir al Sabir.*
384. _____ *fil khaltah wal 'azlah.*
385. _____ *fi wasaf Luqman libnihi.*
386. _____ *fi man Imtahna fi Allah wa sabr.*
387. _____ *fi khilat Ibrahim.*
388. _____ *fil khilat wal mahbah wa ayuhuma afdal?*
389. _____ *fi Ithbat karamat al Awliya'.*
390. _____ *fi an khawariq al 'adat la tadul 'ala al wilyah.*
391. _____ *fi kalami al juniad lama su'il 'an al tawhid.*
392. _____ *fil ghana' wal Istilam.*
393. _____ *al rad 'ala ahl al Itihad wahia jawab al Tufi.*
394. _____ *fil dhawq wal wajd alladhi yadkirahu al sawfiyah.*
395. _____ *fi mesha'ikh al 'Ilm wa mesha'kh al fuqra' ayuhum afdal.*
396. _____ *fi an al Shari'at wal haqiqah matla zaman.*
397. _____ *fi ahl sifah wa maratabahum wa ahwallahum.*
398. _____ *fi libas al khirqah wal Aqtab wa ghairahum.*
399. _____ *fil fatwah al Istilahiyah a annhu laisa laha asl filahkami al shari'ah.*
400. _____ *fi kalam Ibn at 'Arif fil tasawwuf.*
401. _____ *fi kufr Fir'awn wal rad 'ala man lam yukufirahu.*
402. _____ *al kalam 'ala al murshidah alati al faha Ibn Tumarat.*
403. _____ *fi ahwal al Shaikh Yunus al ghaibi wal Shaikh Ahmad al Rafai'.*
404. _____ *al tafatal Iraqiyah fil a'mal al qalbiyah.*
405. _____ *al furqan bayn awliya' al Shaitan wa awliya' al Rahman.*
406. _____ *Jawab fil rada 'ala kalami Ab'i Suliaman al Darani.*
407. _____ *Darjat al yaqin.*
408. _____ *Fataya fil ghaibah.*
409. _____ *Masla'at fil qalb wa annhu khalaq liyalam bihi al haqq.*
410. _____ *Jawab fil 'azam 'ala al ma'siyah hal u'qib al 'abd 'alaihi.*
411. _____ *Risalat fi man 'azam 'ala fa'l Mahram thuma mata.*
412. _____ *fi Ishtighat bi kalam Allah.*
413. _____ *al hajj al naqliyah.*
414. _____ *fiman qala an ba'd al masha'ikh ahya maita.*
415. _____ *fi abtal wahdat al wujud.*
416. _____ *fi hal al Halaj.*
417. _____ *fil khadr hal Mata am huwa hai.*
418. _____ *fi hizb al shadhli nama yaahbahu.*

419. _____ *'Ilm al zahir wal batin.*
420. *Ma'lif fi al rad 'ala ibn 'Arabi.*
421. *Haqiqat madhhab al Ithad bayn aw wahdat al wujud.*
422. *Ma tadminahu fasus al hikm.*
423. *al rad Illa Qawm 'ala ma fi fasus al hikm.*
424. *Ma yaqul ahl bait al Shaikh 'Iddi'.*
425. *Ta'liqah 'ala fatuh al ghaib lisyidi 'Abd al Qadir al Kilani.*
426. *al Sawfiyah walfuqra.'*
427. *Manazirah Ibn Taimiyyah ma'al Rafa'yah.*
428. *al masa'il al Ishkandaraniyah fi al rad 'ala al Itihadiyah al haluliyah.*
429. *Jawab fiman yaqul man la Shaikh lahu fashaikhahu al Shaitan.*
430. *Masa'lat fil faqr wal tasawwuf.*
431. _____ *fil siyahat wa'naha fi hadhini al Ummah.*

Books on philosophy:

432. *Qai'dat fil abtal qawl al falasafah an al wahid la yasdiru 'an al wahid.*
433. _____ *fima yatnahei wama la yatnahei.*
434. *Qawa'id fi Ithbat al mu'ad fal rad 'ala Ibn Sina fi risalah al adwiyah.*
435. _____ *fil kuliyat.*
436. _____ *ta'rf bil sa'idiyah tata'laq bil thanwiyah.*
437. _____ *fil kalami 'ala al mumkin.*
438. _____ *fil abtal al mujridat.*
439. *Kitab al abtal qawl al falasafah bi Ithbat al jawahir al 'aqliyah.*
440. _____ *abtal qawl al falasafah.*
441. _____ *fi tawhid al falasafah 'ala nazm Ibn Sina.*
442. _____ *fi al rad 'ala al mantiq.*
443. _____ *al rad 'ala falasafah.*
444. *Naqd al mantiq.*
445. *al Safdiyah fi al rad 'ala al falasafah fi qawlihim an mu'jizat al Anbiya'qawa nafsaniyah.*

Letters:

446. *al risalat Ila Shams al Din Muhammad Ibn Ahmad al Dabahi.*
447. _____ *Ila Qadi Shams al Din Saruji.*
448. _____ *Ila mu'taqidin Shaikh Iddi' Ibn Masfir.*
449. _____ *Ila Ra'is Qabras.*
450. *al Rasa'il Ila Ummihi.*
451. _____ *Ila al Mulk al Nasir.*

452. _____ *Ila ahl Tabristan, Gilan, Basara, Baghdad, Bahrin, Misr wa Hamat.*

General books:

453. _____ *Qai'da fi tawhid Shahadat.*
454. _____ *fi dami al Shahid wa Midad al 'Ulama' tatdaman ayi al taifatain afdal?*
455. _____ *fima li kulu 'Ummah min al khasa'is wa khasa'is hadhi al Ummah.*
456. _____ *tata'laq birrahmah Allah fi Irsal Muhammad wa an Irsalahu ajal al na'm.*
457. _____ *fi an al hamdu al dhamu walthawab wal'Iqab bil jihad.*
458. _____ *ahl al Sunnah waljama'at fi rahmati.*
459. _____ *fi an al Iltiqadat qnd tutharani al ahkam.*
460. _____ *fi tasbih al makhluqat min al jamadat wa ghairiha hal huwa bilasani al hal am la?*
461. _____ *fi an al hasanat ta' lal bi 'illataini.*
462. _____ *fi wajub nasihah Ulilamar wal dua' lahum.*
463. _____ *fi fadl Mu'wiyah.*
464. _____ *al qawi'd al khams.*
465. _____ *Wasiyat libni al muhajari.*
466. _____ *libi al Qasim.*
467. _____ *Risalah fi jawab Muhiyyu al Din al Asfahani.*
468. _____ *al Wasiyah al Kubra.*
469. _____ *Risalah fil'Abbas wa Bilal ayyuhuma afdal.*
470. _____ *Qawa'id fi khilafah al Sidiq.*
471. _____ *Fada'il Abu Bakr wa 'Umar wa 'Aliyy.*
472. _____ *Risalah fi bayan 'Ilm al Shaikhain wa 'Ilm al Murtada.*
473. _____ *fiman yal'n Mu'wiyah.*
474. _____ *fi amri Yazid hal yasubu am la.*
475. _____ *Taksir al ahjar.*
476. _____ *fi Ras al Husain.*
477. _____ *fi bayan al amr bil ma'ruf wal nahi 'anil munkar.*
478. _____ *fi tabqat.*
479. _____ *fi 'aml ahl al janah wa ahl al nar.*
480. _____ *fi bayan bayad al wajuhu wa sawaidha youm al qiyamah.*
481. _____ *fi wajub al 'adl 'ala kuli ahad fi kulu hal.*
482. _____ *Jawab fi qawlihi khair al qarun al dawaris.*
483. _____ *Masa'lah al shafa'at wa masa'lat al shahadah bil Ishtifamah.*

- 484. *Khilaf al Ummah fil 'Ibadat wa madhhad ahl al sunnah wal jama'at.*
- 485. *Masa'lat Itikhaz al masjid liahli al Qur'an.*
- 486. *Kitab al Hawlakuniyah.*
- 487. *Jawab fil ma'yah wa ahkmiha.*
- 488. *Ajubah fil waqf fi munqta' al wast.*
- 489. *Masa'lat fi mahl al sha'r wal'ulum wa ghairiha.*
- 490. *Risalah fil liqa' wama warda fihi fil Qur'an wa ghaira hu.*
- 491. *Jawab fi dhil faqar hal kana saifan li 'Aliyy.*

GLOSSARY

Note: This Glossary explains only important Arabic terms that occur frequently in this research work.

' <i>Abd</i>	:A male slave, a slave of Allah.
<i>Abdal</i>	:(pl of <i>badal</i>) substitute, fourth category of saints in the mystic hierarchy.
' <i>Ada</i>	:(pl ' <i>Adat</i>) habit, practice.
<i>Addilah</i>	:Proofs.
<i>Adab</i>	:Conduct, manners.
' <i>Adam</i>	:Non-being, non-existence.
<i>Adhan</i>	:The call to <i>salah</i> (prayer) pronounced loudly five times a day from the mosque by the <i>muwwadhin</i> to indicate that the time of <i>salah</i> is due.
<i>Ahkam</i>	:Orders, legal status, according to Islamic law, there are five kinds of <i>ahkam</i> : <ol style="list-style-type: none">1. <i>al wajib</i> (compulsory).2. <i>al mustahab</i> (desirable but not compulsory).3. <i>al haram</i> (forbidden).4. <i>al makruh</i> (disliked but not forbidden).5. <i>al halal</i> (lawful and allowed).
<i>ahl al Ahwa'</i>	:People moved by impulses, sectarians.
<i>ahl al kitab</i>	:The adherents of scriptural religions, especially the Jews and Christians.
<i>ahl Qur'an</i>	:A group of people who consider the Qur'an only source/proof of Islam and refuse to accept the Sunnah as a source/proof of Islam.
<i>ahl al Sunnah wal jama'at</i>	:The community united behind the Sunnah of the Rasul-Allah.
<i>Ahram</i>	:White unstitched dress which pilgrims use while performing the <i>Hajj</i> .
<i>Ahwal</i>	:(pl of <i>hal</i>) Conditions, different states.
<i>A'ima</i>	:(pl of Imam) leader of congregational <i>salah</i> , political leader of the Muslim community, the Muslim ruler, term mostly used for four pioneer's of <i>fiqhi madhahib</i> ,

	Imam Abu Hanifah, Imam Malik, Imam Shafi‘i, Imam Ahmad.
<i>‘Ajam</i>	:All non-Arabs.
<i>Ajal</i>	:The time appointed by Allah for any event.
<i>‘Ajwah</i>	:A kind of date, pressed soft dates.
<i>al Akhirah</i>	:Eternal consummation of judgment in Paradise or Hell.
<i>‘Alim</i>	:A knowledgeable person or a religious scholar in Islam.
Allah	:Allah is the Islamic name for God of the western writers. Muslim thinkers of today have agreed to use Allah because the term God has a pagan origin.
<i>Amah</i>	:A female slave.
<i>Aman</i>	: Safety, pledge of security obtained by a non-believer to enter into the Muslim territory.
<i>Amn</i>	:Peace; truce.
<i>al Amanah</i>	:The trust or the moral responsibility or honesty, and all the duties which Allah has ordered.
<i>Amin</i>	:Honest person.
<i>Amir</i>	:Commander, the ruler of the Muslim community.
<i>‘Amil</i>	:Governor, collector.
<i>Anbiya</i>	:(See Nabiyy).
<i>Ansar</i>	:The Companions of Rasul-Allah from the inhabitants of al Madinah, who embraced Islam and supported him, who received and entertained the Muslim emigrants from Makkah and other places.
<i>Anwa‘</i>	:(p1 of <i>nau‘</i>) Kinds, species.
<i>‘Aqiqah</i>	:It is the sacrificing of one or two sheep on the occasion of the birth of a child as a token of gratitude to Allah.
<i>‘Arafat</i>	:A famous place of <i>hajj</i> (pilgrimage) on the southeast of Makkah about twenty-five kilometers from it.
<i>‘Arif</i>	:One who has been given mystical knowledge, a gnostic.
<i>‘Asbah</i>	:All male relatives of a deceased person from the father’s side.
<i>Ashab al sunan</i>	:The compilers of <i>Ahadith al Nabwi</i> on Islamic jurisprudence.

<i>Ashab al suffah</i>	:Companions of Rasul Allah who made the platform of Masjid Nabwi as their mansion hence, obtained this name.
<i>‘Asr</i>	:Afternoon, time.
<i>Athar</i>	:Usually refers to traditions from Companions and successors, occasionally also to those from Rasul-Allah.
<i>‘Aurah</i>	:That part of the body which is not permissible to expose to others.
<i>Awsuq</i>	:(pl of <i>wasq</i>) which is a measure equal to 60 <i>Sa</i> ‘135 kgm (approx). It may be less or more.
<i>al Awwal</i>	:The first, a Divine name.
<i>al Awwala</i>	:(v.n.ta’wil) to interpret the unknowable (e.g., dreams or esoteric meanings of a text).
<i>Awliya</i>	(pl. of wali), Favourites of Allah.
<i>Ayah</i>	:Proof; evidence, verse, lesson, sign, revelation etc.
<i>Ayyim</i>	:A woman who already has had a sexual experience; she may be a widow or a divorcee.
<i>‘Azl</i>	:Coitus interruptus, i.e., pulling out the penis from vagina at the time of ejaculation of semen for the purpose of birth control.
<i>Azlam</i>	:Literally means ‘arrows’. In Islamic terminology it means arrows used to seek good luck or a decision, practiced by the Arabs of pre-Quranic period of ignorance.
<i>Badanah</i>	:(pl of <i>Budn</i>) A camel or a cow or an Ox driven to be offered as a sacrifice, by the pilgrims at the sanctuary of Makkah.
<i>Badr</i>	:A place about 150 kilometers to the south of al Madinah, where the first great battle in Islamic history took place between the early Muslims and the polytheists of Quraish.
<i>Bagh</i>	:False or evil endeavour, one vitiated by false/evil intention and/or consequence.
<i>Batil</i>	:Something totally false, untrue, vain, futile and opposite of <i>Haqq</i> .
<i>Bay‘ah</i>	:Oath of allegiance given by the citizens to their Imam (Muslim ruler) to be obedient to him according to the

	Islamic religion, oath of allegiance given to a <i>Sufi Shaikh</i> .
<i>Bai‘</i>	:A sale; commercial dealing.
<i>Bay‘at al Ridwan</i>	:The oath and pledge taken by the Companions before the treaty of al Hudaibiyah in the year 6 A.H to fight Quraish in case they harmed ‘Uthman who had gone to negotiate with them and reported to have been taken captive.
<i>Bayt al mal</i>	:House of wealth; treasury of the Muslim state of community.
<i>Bid‘ah</i>	:Some thing done for the first time and without any precedence; any innovated practice in religion.
<i>Barzakh</i>	:An intervening state between death and the Day of Judgment.
<i>Bai‘al saraf</i>	:Exchange of obligations for obligations: it is essential to the legality of this kind of sale, that both the things exchanged should be delivered and taken possession of before the separation of the parties, and that when they are of the same kind, they should also be exactly equal by weight.
<i>Ba‘th</i>	:Resurrection; to face judgement by Allah.
<i>Bia‘al salam</i>	:An advance; transaction in which the price is immediately advanced at a future fixed time.
<i>Bint labun</i>	:A two year old she-camel.
<i>Bint makhad</i>	:One year old she-camel.
<i>al Birr</i>	:A collective noun designating all conducts approved by Allah.
<i>Burhan</i>	:Demonstration, clear proof.
<i>Da‘i</i>	:One who undertakes <i>Da‘wah</i> .
<i>Dar</i>	:Land, territory, house.
<i>Dar al Islam</i>	:Muslim territory.
<i>Dar al kufr</i>	:Territory of unbelief.
<i>Da‘wah</i>	:Preaching of Islam.
<i>Dayyan</i>	:Allah; it literally means the one who judges people from their deeds after calling them to account.
<i>Dajjal</i>	:Pseudo Messiah or Antichrist, literally a liar, quack, deceiver.
<i>Dhaw al arham</i>	:Relatives on the maternal side.

<i>Dhimmi</i>	:A non-Muslim living under the protection of an Islamic government.
<i>Din</i>	:Religion, the normative or perfect religion which Allah ordained for humanity, including faith, ethics, law, devotions, and judgements.
<i>Dhu muhram</i>	:A man, whom a woman can never marry because of close relationship (e.g., a father, a brother, an uncle);or her own husband.
<i>Dhu al fara'id</i>	:Those persons whose share of inheritance is described in the Qur'an are called <i>Dhu al fara'id</i> and the rest are called <i>'asbah</i> .
<i>Dinar</i>	:An ancient gold coin.
<i>Dirham</i>	:A silver coin weighing 50 grains of barely with cut ends.
<i>Dirayah al Hadith</i>	:The study pertaining to the validity of the reporting and of what is reported about the Rasul-Allah.
<i>Diyah</i>	:Blood money (for wounds, killings etc) paid by a killer in lieu of <i>qasas</i> .
<i>Fai'</i>	:Booty taken from a non-Muslim country which submits to Muslim rule without resistance.
<i>Fajr</i>	:Dawn or early morning before sunrise, or morning <i>salah</i> .
<i>Fajir</i>	:Immoral.
<i>Fals</i>	:Copper coin.
<i>Falsafa</i>	:Philosophy.
<i>Faqih</i>	:A learned man who can give religious verdicts.
<i>Fard 'ain</i>	:It is an individual duty; an obligation essentially to be performed by each individual.
<i>Fard kifayah</i>	:It is a collective duty; an obligation which, if performed by one person, suffices for the rest; as it does not have to be performed essentially by all.
<i>Faridah</i>	:An enjoined duty.
<i>Fasiq</i>	:One who commits sin.
<i>Fatwa</i>	:A decision given by a <i>mufti</i> on some matter of the religious law.
<i>Fiqh</i>	:Science of the <i>Shari'ah</i> , Islamic jurisprudence.
<i>Fiqhi</i>	:Legal, related to <i>fiqh</i> .
<i>Fisq</i>	:A Muslim's persistently committing major sins.

<i>Fitnah</i>	:Trials, persecution, confusion in the religion, conflicts and strafes among the Muslims.
<i>Faqih</i>	:One learned in <i>fiqh</i> .
<i>Fidyah</i>	:Compensation for a missed or wrongly practiced religious obligation, usually in the form of money or foodstuff or offering animal by slaughtering it.
<i>Ghaban fahish</i>	:Charging an exorbitant price from an uninformed person which would not be accepted if the person were informed.
<i>Ghanimah</i>	:Booty.
<i>Gharar</i>	:Hazard, uncertainty, indeterminacy.
<i>Habal al habala</i>	:There were two forms of this trade. The example of the first form is that to buy an offspring of an animal which itself is yet to be born by making the payment in advance. Second form is to sell an animal on condition to have the offspring of the sold animal. Both forms of this kind of transaction are prohibited.
<i>Hadd</i>	:Limit, boundary, hence definition, in Islamic law a prescribed punishment assigned to prohibited deeds namely, intoxication, theft, armed rebellion, adultery, false accusation of adultery.
<i>Halal</i>	:Permissible, lawful.
<i>Haram</i>	:The law or deed which is prohibited.
<i>Hada</i>	:To guide to truth and value of Islam.
<i>Hadith</i>	:The sayings, deeds and approvals narrated from the Rasul-Allah, the second source of Islam after the Qur'an.
<i>Hadith sahih</i>	:Any Hadith whose veracity is absolutely without question.
<i>Hadith hasan</i>	:Any Hadith whose <i>matn</i> (text) is absolutely true, but whose reporters do not pass the test of complete reliability.
<i>Hadith da'if</i>	:Any Hadith whose truthfulness in both text (<i>matan</i>) and reporters (<i>sanad</i>) is not absolutely beyond question.
<i>Hadith maudu'</i>	:Any Hadith spurious in context or <i>sanad</i> .
<i>Hajj</i>	:Setting out; the pilgrimage to Makkah performed in the month of <i>Dhu al Hijjah</i> .

<i>Haquq al 'Ibad</i>	:the right of the slaves (mankind).
<i>Haquq al Allah</i>	:the right of Allah.
<i>Hasana</i>	:Good, praiseworthy.
<i>Hanif</i>	:Pure Islamic Monotheism (worshipping Allah alone and nothing else).
<i>Harj</i>	:Killing.
<i>al Haruriyyah</i>	:An unorthodox religious sect.
<i>Haya</i>	:This term covers a large number of concepts. It may mean modesty, self respect, bashfulness, honour etc.
<i>Hibah</i>	:It means to present something to someone as a gift for Allah's sake.
<i>al Hidanah</i>	:The nursing and caretaking of children.
<i>Hijrah</i>	:Literally it means 'migration'. This term is used for; i) the migration of Muslims from an enemy land to a secure place for religious causes, ii) the first Muslims migration from Makkah to Ethiopia and later to al Madinah, iii) the Rasul-Allah's journey from Makkah to al Madinah and iv) the Islamic calendar year which started from the Rasul-Allah's migration from Makkah to al Madinah (July, 622 A.C).
<i>Hikmah</i>	:Wisdom based on revelation, Hadith.
<i>Hiqqah</i>	:A three year old she camel.
<i>Hira</i>	:A well known cave in a mountain near Makkah.
<i>Hisbah</i>	:An institution for supervision over economic and social conditions.
<i>al Hudaibiyah</i>	:A well known place about 16 kilometers from Makkah on the way to Jeddah. At this place a treaty was made in 6 A.H between Rasul-Allah and the Quraish who stopped him and his Companions from performing 'umrah.
<i>Hujjah</i>	:Decisive argument of proof.
<i>Hukm</i>	:A judgement of legal decision (especially of Allah).
<i>Hunain</i>	:A valley between Makkah and Ta'if where the battle took place between Rasul-Allah and Quraish pagans.
<i>'Ibadah</i>	:The act or action of serving Allah (serving Allah according to <i>Shari'ah Nabawi</i>).
<i>'Ibadah al badaniyah</i>	:Acts of worship devotion performed through exertion of the body.

<i>'Ibadah al maliah</i>	:Devotion and worship shown through monetary dispensations and provisions.
<i>'Id</i>	:Periodically returning, generally refers to the two major Islamic festivals, <i>'Id al ada</i> four days starting on the tenth day of <i>Dhul Hijjah</i> (month) <i>'Id al Fitr</i> first day of <i>Shawwal</i> (month).
<i>'Iddah</i>	:Allah's prescribed waiting period for a woman after divorce or death of her husband, after the expiry of which she can remarry another persons.
<i>Idtirar</i>	:Utter necessity, being compelled to do something which in normal conditions is not allowed to do.
<i>Iftira</i>	:A fabrication, slander, false allegation, calumny.
<i>Ihtikar</i>	:Hoarding up grain with the object of raising the price.
<i>Ihraz</i>	:Lawful possession of property.
<i>Ihsan</i>	:The highest level of deeds and worship.
<i>Ijarah</i>	:Hire or lease contract.
<i>Ijarah al gharar</i>	:Dubious hire.
<i>Ijazah</i>	:Permission; a term in <i>'Ilm Hadith</i> meaning permission by a <i>Shaikh (muhadith)</i> to a disciple to narrate Hadith from him.
<i>Ijma'</i>	:Consensus, consensus of the Muslim scholars on a point of Islamic law.
<i>Ijma' al sarih</i>	:The clearly expressed consensus.
<i>Ijma' al sukuti</i>	:The consensus established by the jurists not objecting to the derivation of a certain prescription from a given source.
<i>Ijtihad</i>	:Creative self-exertion to derive laws from the legitimate sources.
<i>Ikhbar</i>	:Communicating, reporting affording information.
<i>'Illah</i>	:True cause, essential nature.
<i>'Ilm</i>	:Knowledge.
<i>Imam</i>	:The persons who leads others in the <i>salah</i> or the Muslim ruler, leader of a <i>fiqhi madhhab</i> .
<i>Imamah</i>	:Office of the Imam;a Muslims worthiness to hold political office and to lead <i>salah</i> .
<i>'Ilal al Hadith</i>	:A science which studies the qualities or circumstances which may vitiate a Hadith.
<i>Iman</i>	:Faith, belief.

<i>'Inah</i>	:A kind of transaction which is unlawful.
<i>Iqamah al hadud</i>	: Meting out the <i>Shari'ah</i> punishment.
<i>Istihsan</i>	:As source of Islamic law, the acceptance of a rule because of its superior equity in comparison with an already established law.
<i>Istinbat</i>	:To deduce the <i>Nass</i> from the Qur'an and the Sunnah.
<i>Istisahab</i>	:The continuation of an established law not known to have been revoked or rescinded.
<i>'Ismah</i>	:Inviolability (of honour, rights, etc) Impeccability, infallibility of Rasul-Allah in his conveyance of the Divine message.
<i>Ittiba'</i>	:Obedience.
<i>Ittiihad</i>	:To unite.
<i>Ittisal</i>	:To be connected with.
<i>I'tizal</i>	: Seclusion; the Mu'tazilli creed.
<i>Jadha'ah</i>	: A four year old she camel.
<i>Jahiliyah</i>	: i) Ignorance belonging to the period before the advent of Muhammad Rasul-Allah ii) un-Islamic practices which either existed or were inherited from the era before the revelation of the Qur'an.
<i>Jama'at</i>	:Community, party or a group.
<i>al Jarah wal ta'dil</i>	:A science which seeks to investigate the reporters of Hadith in order to establish their trustworthiness or untrustworthiness.
<i>Jihad</i>	:Holy fighting in the cause of Allah or any other kind of effort to make Allah's word (i.e. Islam) superior.
<i>Jizyah</i>	:The poll tax payable by non-Muslim lay, male, adult citizens of the Islamic state who are capable of paying it. It is a substitute for the <i>zakah</i> which is obligating for all Muslims.
<i>Jibril</i>	:The angel entrusted with conveying the revelation to Rasul-Allah.
<i>Kafala</i>	:The pledge given by somebody to a creditor to guarantee that the debtor will be present at a certain specific place to pay his debt or fine or to undergo a punishment etc.
<i>Kafir</i>	:One who rejects Islam, a believer in <i>Kufr</i> .

<i>Kafarah</i>	:Making atonement for uttering or committing an unlawful thing in Islam.
<i>Kalam</i>	:Speech, term applied to scholastic theology which discovered dialectically questions about the nature of Allah and religion.
<i>Khalifah</i>	(pl: <i>Khulfah</i>):A successor, an Islamic term used for the first four rulers who ruled Muslims after Muhammad Rasul-Allah.
<i>Kanz</i>	:Hoarded gold, silver and money, the <i>zakah</i> of which has not been paid.
<i>Khumr</i>	:Wine, alcohol, intoxicant etc.
<i>Kharaj</i>	: <i>Zakah</i> imposed on the yield of the land ($1/10^{\text{th}}$ or $1/20^{\text{th}}$).
<i>Khawarij</i>	:The people who dissented from the religion and disagreed with the rest of the Muslims.
<i>Khums</i>	: One-fifth of war booty given in Allah's cause.
<i>Khutbah</i>	:Religious sermon.
<i>Lafz</i>	:Letter, word.
<i>Luqatah</i>	:Article or a thing found by somebody other than the owner who lost it.
<i>Ma'dum</i>	:Non-existent.
<i>Mahr</i>	:Bridal money given by the husband to the wife at the time of marriage.
<i>Mahram</i>	:A male relative for woman in a degree of consanguinity precluding their marriage.
<i>Makruh</i>	:Not approved of, undesirable from religious point of view, but not punishable.
<i>Mandub</i>	:Commendable but not obligatory.
<i>Mamluk</i>	:A male slave.
<i>Madhmum</i>	:Something blameworthy, objectionable.
<i>Mafrud</i>	:Something obligatory in religion.
<i>Mafsada</i>	:Harm, corruption, evil-something damaging to the religious well-being of a Muslim.
<i>Mal</i>	:Valuable objects, capital, property etc.
<i>Minhaj</i>	:Holy way a religiously delineated way or cause.
<i>Manasak</i>	:(pl: <i>mansik</i>) Cult, rites, especially those of the <i>hajj</i> (Islamic pilgrimage).

<i>al Masalih al mursalah</i>	:Public welfare neither commanded nor prohibited in any Islamic source, as source of Islamic law.
<i>Mustallah al hadith</i>	:A science which studies the methodology of Hadith criticism.
<i>Masjid</i>	:(pl: <i>Msajid</i>) Place where the act of <i>sajadah</i> (<i>salah</i>) is performed, often rendered as mosque.
<i>Musnad</i>	:Any collection of Ahadith in which the Ahadith are arranged according to the reporters who related them e.g. <i>al Musnad</i> of Abu Dawud, or of al Tayalisi, or Ahmad Ibn Hanbal.
<i>al Mu'jam</i>	:Any collection of Ahadith in which the individual items are arranged alphabetically.
<i>Mukhtalaf al hadith</i>	:A science which studies the apparent discrepancies between the varying Ahadith with a view to reconciling them.
<i>Masnun</i>	:According to the Sunnah of Rasul-Allah.
<i>Manqul</i>	:Something transcribed or reported, especially an act of Muhammad Rasul-Allah or the first three generations of Islam.
<i>Mi'raj</i>	:Ascension of the Muhammad (SAAS) to heaven.
<i>Maqtu'</i>	:Discontinuous; applied to a Hadith going only as far back as a <i>tabi'</i> and then recording only his own deeds or words.
<i>Ma'qul</i>	:Something comprehended solely through recourse to reason.
<i>Margub</i>	:Desirable, approved.
<i>Marfu'</i>	:Applied to a Hadith reported by one of the Companion of Rasul-Allah.
<i>Ma'ruf</i>	:Reputable; an act or deed embracing all that in pleasing Allah, as apposed to <i>munkar</i> (disreputable).
<i>Matlub</i>	:The object of search or wish, aim.
<i>Mubah</i>	:The law or deed which stands in no other category, and which is, therefore, neither legitimate nor illegitimate.
<i>Mufti</i>	:Islamic scholar who expounds the Islamic religious law and is called upon to furnish his formal opinion pertaining to a problem of the law.

<i>Muhaddith</i>	:A traditionist, a scholar of Ahadith of Rasul-Allah in the widest possible sense.
<i>Muhajir</i>	:(pl. <i>muhajirun</i>) An emigrant, particularly one of those Muslims who migrated to al Madinah.
<i>Mu'jiza</i>	:A miracle, particularly are granted to Muhammad Rasul-Allah as a sign of his <i>risalah</i> .
<i>Mulhid</i>	:A heretic.
<i>Munafiq</i>	:A hypocrite.
<i>Munazarah</i>	:Argumentation, debate.
<i>Mursal</i>	:A Hadith narrated by a <i>tabi'</i> (successor) without reference to a <i>sahabi</i> (Companion) from whom he may have received it; technically this amounts a break in the <i>isnad</i> (transmission)
<i>Mushrik</i>	:One who ascribes partners to Allah in His <i>Dhat</i> (essence) and <i>Sifat</i> (attributes).
<i>Mustahab</i>	:Something deemed desirable, commendable, in Islamic law.
<i>Mutakallimun</i>	:Scholastic theologians.
<i>Mudarbah</i>	:A form of partnership in which one party invests capital and another party trades with it on the understanding that they share the profit in an agreed ratio, and that the loss resulting from normal trading activity is borne by the investing party.
<i>Muhtasib</i>	:Inspector of Market and social conditions of people; the man in charge of <i>hisbah</i> .
<i>Mujtahid</i>	:One who exercise <i>ijtihad</i> , i.e., use independent judgement to derive rules of conduct directly from the original sources of jurisprudence rather than blindly giving in (<i>taqlid</i>) to tradition.
<i>Mu'allafat al qulub</i>	:New Muslims who were given <i>sadaqah</i> by the Rasul-Allah to keep them firm in the fold of Islam.
<i>Mudd</i>	:A measure of two-thirds of a kilogram (approx). It may be less or more.
<i>Mahaqala</i>	:It is selling un-harvested grain in the field with already harvested grain like wheat.
<i>Muhkam</i>	:The Quranic verses which were not abrogated.
<i>Munkirun Hadith</i>	:A sect who refuse to accept Ahadith as a source/proof of Islam. Also known as <i>ahl Qur'an</i> .

<i>Mutashabihat</i>	:The Quranic verses which are not clear thus, difficult to understand.
<i>Muttafaqun ‘alaih</i>	:Agreed upon; The term is used for such Ahadith which have been narrated by Imam Bukhari and Imam Muslim in their <i>Sahih Bukhari</i> and <i>Sahih Muslim</i> respectively.
<i>Muwatta</i>	:A Hadith book compiled by Imam Malik Ibn Ans, one of the four famous Imams.
<i>Maqasid al Shari‘ah</i>	:The ultimate purpose of all Islamic law namely, religion, life, reason wealth.
<i>Nabidh</i>	:A kind of wine made either from dates or grapes.
<i>Nabiyy</i>	:(pl. <i>Anbiya</i>)the person whose <i>Nabbuwah</i> (prophethood) consists of receiving verbatim a message from Allah with the express order to convey it to the people and to exemplify its percepts in his own life.
<i>Nadhr</i>	:Vow;votive offering made in the name of Allah.
<i>al Najash</i>	:A trick of offering a very high price for some thing without the intention of buying it but just to allure and cheat somebody else who really wants to buy it although it is not worth such a high price.
<i>Nass</i>	(pl: <i>Nasus</i>) Generally a text, demonstration.
<i>Nawafil</i>	:Optional practice of worship in contrast to obligatory worship.
<i>Nifaq</i>	:Hypocrisy: professing true faith outwardly but harbouring infidelity in the heart.
<i>Nikah</i>	:Marriage (wedlock) according to Islamic law.
<i>Nisab</i>	:Minimum amount of property liable to payment of the <i>zakah</i> .
<i>Qabih</i>	:A religiously and normally abominable or shameful deed.
<i>Qadar</i>	:Divine fore-ordination, predestination.
<i>Qadi</i>	:A Muslim Judge.
<i>Sa‘</i>	:A measure that equals four <i>mudd</i> (3 kg. approx).
<i>Salaf</i>	:Early generations of Muslims.
<i>Sadaqah</i>	:Any thing given in charity.

<i>Salah</i>	:Islamic <i>salah</i> , every Muslim male or female is obliged to offer his <i>salah</i> regularly five times a day at the specified times.
<i>Sawm</i>	:The fast i.e., to keep fast in the month of Ramadan i.e. not to eat or drink or have sexual relations from the <i>Adhan</i> of the <i>Fajr</i> till the sun set.
<i>Sawad-i- Azam</i>	:Majority of <i>ummah</i> , majority of Muslim scholars.
<i>Sahihain</i>	:The two Hadith books of Imam Bukhari and Imam Muslim.
<i>Sahabi</i>	:Companion of Rasul-Allah.
<i>Sanad</i>	: (pl: <i>asnad</i>) Proof, chain of narrators of Hadith.
<i>Shar'a</i>	:The act of legislation by Allah for any matter of concern in human life, personal, familiar or public.
<i>al Shari'ah</i>	:The collective name for all the laws of Islam, including Islam's whole religious and liturgical ethical and jurisprudential systems.
<i>Shigar</i>	:A type of marriage in which persons exchange their daughters or sister in marriage without <i>Mahr</i> .
<i>Shirk</i>	:Polytheism and it is to worship others along with Allah.
<i>Shuf'ah</i>	:Pre-emption.
<i>Shura</i>	:The consultative body.
<i>Sihah sittah</i>	:The six books of Ahadith: compiled by Imam Bukhari Imam Muslim, Imam Abu Dawud, Imam Nasi', Imam Tirmidhi and Imam Ibn Majah.
<i>Sunnah</i>	:the path and example of Muhammad Rasul-Allah, consisting of all that he said, did, approved of, or condemned.
<i>Sunnah al fi'iliyah</i>	:The body of deeds and practices which the Rasul-Allah taught his Companions to do and which have been performed by Muslims ever since.
<i>Sunnah al qawliyyah</i>	:The body of sayings of Muhammad Rasul-Allah which contain prescriptions for Muslims.
<i>Sunnah al taqririyah</i>	:The body of Ahadith reporting that the Muhammad Rasul-Allah had approved or disapproved, commended or condemned certain types of conduct.
<i>Surah</i>	:Chapter of the Qur'an.

<i>Qadariyah</i>	:Those who believe in free will, in contradiction to the Jabriyah who believes in predestination.
<i>Qibla</i>	:The direction towards which all Muslims face in <i>salah</i> , a direction towards Ka‘ba.
<i>Qisas</i>	:Punishment both retributive and compensatory for homicide and injury to humans.
<i>Qist</i>	:Justice, equity and uprightness in dealing with all matters.
<i>Qiyas</i>	:Analogy;logical deduction from the Qur’an and the Hadith as source of Islamic law.
<i>Quraish</i>	:One of the greatest tribes in Arabia in the pre-Quranic period of ignorance.
Rabb	:There is no proper equivalent for Rabb in English language it means the one and the only Rabb for the entire universe.
<i>Rafd</i>	:Rejection; applied to the Shi‘ism.
<i>Rahn</i>	:According to Islamic law <i>Rahn</i> means to give some property or belonging to a creditor as a security for payment of a loan or debt.
<i>Rai</i>	:Free exercise of the mind.
<i>Rajm</i>	:To stone to death those married persons (male, female) who commit the crime of illegal sexual intercourse.
<i>Riba</i>	:Usury, which is of two major kinds a) <i>Riba al Nasia</i> , i.e. interest on lent money; b) <i>Riba al Fadl</i> , i.e. taking a superior thing of the same kind of goods by giving more of the same of the goods of inferior quality. Islam strictly forbids all kinds of usury.
<i>Riddah</i>	:Apostasy; a Muslim’s renouncing Islam.
<i>Rajal al hadith</i>	:A science which studies the reporters of Hadith insofar as they are reporters.
<i>Rikaz</i>	:Buried wealth.
<i>al Risalah</i>	:The commissioning by Allah of a human to convey and exemplify His message, the life lived in the constant consciousness of that purpose and in loyalty to it.
<i>Riwayah al hadith</i>	:The reporting of words, deeds, descriptions, attitudes of the Muhammad Rasul-Allah.

<i>Rasul</i>	(pl. <i>Rusul</i>):Nouns derived from the same root, and denoting the person devoted to <i>al Risalah</i> .
<i>al Rasul</i>	:Name of Muhammad.
<i>Radia</i>	:To be pleased.
<i>Ta'if</i>	:A well-known town near Makkah.
<i>Tabi '</i>	:One who has met or accompanied any Companion of Rasul-Allah.
<i>Tabuk</i>	:A well known town about 700 kilometers north of al Madinah.
<i>Taghut</i>	:The word <i>Taghut</i> covers a wide range of meanings; it means every thing worshipped other than Allah.
<i>Tahara</i>	:Purity and cleanliness.
<i>Tafsir bil mathur</i>	:Exegeses of the Qur'an by means of Ahadith received by Muhammad Rasul-Allah and his Companions.
<i>Tafsir bil ra'y</i>	:Exegesis of the Qur'an by means of free exercise of the mind.
<i>Tahnik</i>	:It is the Islamic customary process of chewing a piece of date and putting a part of its juice in the child's mouth and pronouncing <i>Adhan</i> in child's ear.
<i>Taqlid</i>	:Putting coloured garlands around necks of animals for sacrifice, unconditional following, blind conformity.
<i>Tawfiqi</i>	:Revealed, prescribed by Allah or His Rasul.
<i>Tawhid</i>	:Belief in Allah's oneness.
<i>Twatur</i>	:One after another, continuity.
<i>Tas'ir</i>	:Price fixing.
<i>Tas'ir al 'adl</i>	:Just pricing.
<i>Thaman al mithl</i>	:Price of the equivalent.
<i>Ta'zir</i>	:Discretionary punishment decided by the Islamic judiciary as worthy of the offence in question.
<i>Uhud</i>	:A well known mountain in al Madinah.
<i>Ulul amr</i>	:Rulers, people charged with authority.
<i>'Umrah</i>	:A visit to Makkah during which one performs the <i>tawaf</i> and the <i>sa'i</i> .
<i>'Ushr</i>	:One tenth of the yield of land to be levied for public assistance.
<i>Ummah</i>	:Community of the Muslims, identified by its ideology, law, religion, and group consciousness, ethic and moves.

<i>Usul fiqh</i>	:Science of Islamic jurisprudence, or the methodology of deriving laws from the sources of Islam and of establishing their juristic or constitutional validity.
<i>Uswah hasanah</i>	:The good, normative example of Muhammad Rasul-Allah which is constitutive of the Sunnah.
<i>‘Urf</i>	:In the absence of any thing to the contrary, derivation of the law from the common and approved moves of a people.
<i>Ujrah al mithl</i>	:Just wage or wage of the equivalent.
<i>al ‘Uqud al fasidah</i>	:Invalid contracts.
<i>al ‘Uqud al sahihah</i>	:Valid contracts.
<i>Wahdat al wujud</i>	:Pantheism; unity of being.
<i>Wahy(Jalli wa Khafi)</i>	:The Revelation of Allah to His <i>Anbiya</i> and <i>Rusul</i> . there are two kinds of <i>wahy</i> 1) <i>wahy Jalli</i> that is the Qur’an 2) <i>wahy Khafi</i> that is Sunnah.
<i>Wali</i>	:Guardian.
<i>Wasat</i>	:Middle.
<i>Wakil</i>	:Agent.
<i>Waqf</i>	:Religious trust.
<i>Wilayah</i>	:Government, State.
<i>Walimah</i>	:The marriage feast.
<i>Wasiyah</i>	:Will or testament.
<i>Wasq</i>	:A measure equals to 60 <i>Sa</i> ‘= 135 Kgs, approx.
<i>Wajub</i>	:Obligation.
<i>Wadu</i>	:Ablution.
<i>Waham</i>	:Superstition, anxiety.
<i>Yamin</i>	:Right hand.
<i>Yad</i>	: Hand.
<i>Yaum</i>	:Day.
<i>Zakah</i>	:A certain fixed proportion of the wealth and of every kind of property liable to <i>zakah</i> for Muslim to be paid yearly for the benefit of the poor in the Muslim community.
<i>Zann</i>	:Doubt or suspicion affecting the matters of religion and ethics; opposite of <i>Iman</i> and <i>Yaqin</i> .
<i>Zakah al fitr</i>	:An obligatory <i>sadqah</i> to be given by Muslims before <i>‘Id Salah</i> .
<i>Zindiq</i>	:A heretic.

<i>Zina</i>	:Illegitimate practice of sex.
<i>Zulm</i>	:Injustice.
<i>Zuhar</i>	:Noon, mid-day <i>salah</i> .

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